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Current account close to surplus

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**20P**

# THE TIMES

No. 65,106 TUESDAY NOVEMBER 8 1994

Heseltine predicts 'most benign set of economic circumstances that I can remember'

## Go-ahead for Atlantic oil production

By Carl MORTISHED

THE future of Britain's oil production moved into the deep and treacherous waters of the Atlantic yesterday when the Government approved plans for the development of a huge field west of the Shetland Islands.

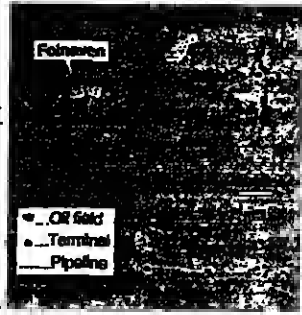
It is part of a new oil province thought to contain 3.5 billion barrels of oil, adding more than a third to estimates of Britain's North Sea reserves of 9 billion barrels.

Tim Eggar, Minister for Industry and Energy, gave the go-ahead for the development of the Foinaven field by British Petroleum and Shell, the UK's two largest oil companies. "The potential production from this area should help guarantee oil supplies well into the next century," he said.

BP is also exploring for oil in the adjoining Schiehallion field and both fields lie in 1,200-1,800 ft of water, 120 miles from the Shetlands. Mr Eggar said that a study by 10 major oil companies had given an encouraging picture. "Eleven theoretical cases for development have estimated total reserves of 3.5 billion barrels. Overall expenditure of £9.5 billion is anticipated between 1995-2010."

BP's announcement of the discovery of reserves of 250-500 million barrels at Schiehallion earlier this year confirmed the huge size of the West of Shetlands province, which already included finds at Foinaven, Strathmore, Solan and Clair.

The development of the new areas has been made possible



by a reduction in development costs by the major oil companies which are now attempting to cope with lower oil prices. Mr Eggar said: "This should give the UK the opportunity to lead the world in the development of oil fields in hostile conditions," he said.

With oil prices currently low, and petroleum revenue tax abolished in 1993, the industry is living in a different world to the boom days of the 1970s and 1980s.

But an oil province of this size would still bring benefits to the balance of payments, corporation tax revenues, and the economy in general, according to Neil Thomas of analysts Wood Mackenzie.

"It is definitely not a second bonanza. But the thing about the UK oil industry is that people have been writing it off for years. If you go back to forecasts in the mid-70s the oil should have run out by now. Here we are with record levels of oil and gas production, so you never know what's round the corner."

Some analysts were sceptical of the benefits for Scotland suggesting that the best that

could be expected is the maintenance of jobs lost in the North Sea. One said: "The production vessel is being rebuilt in a Spanish port."

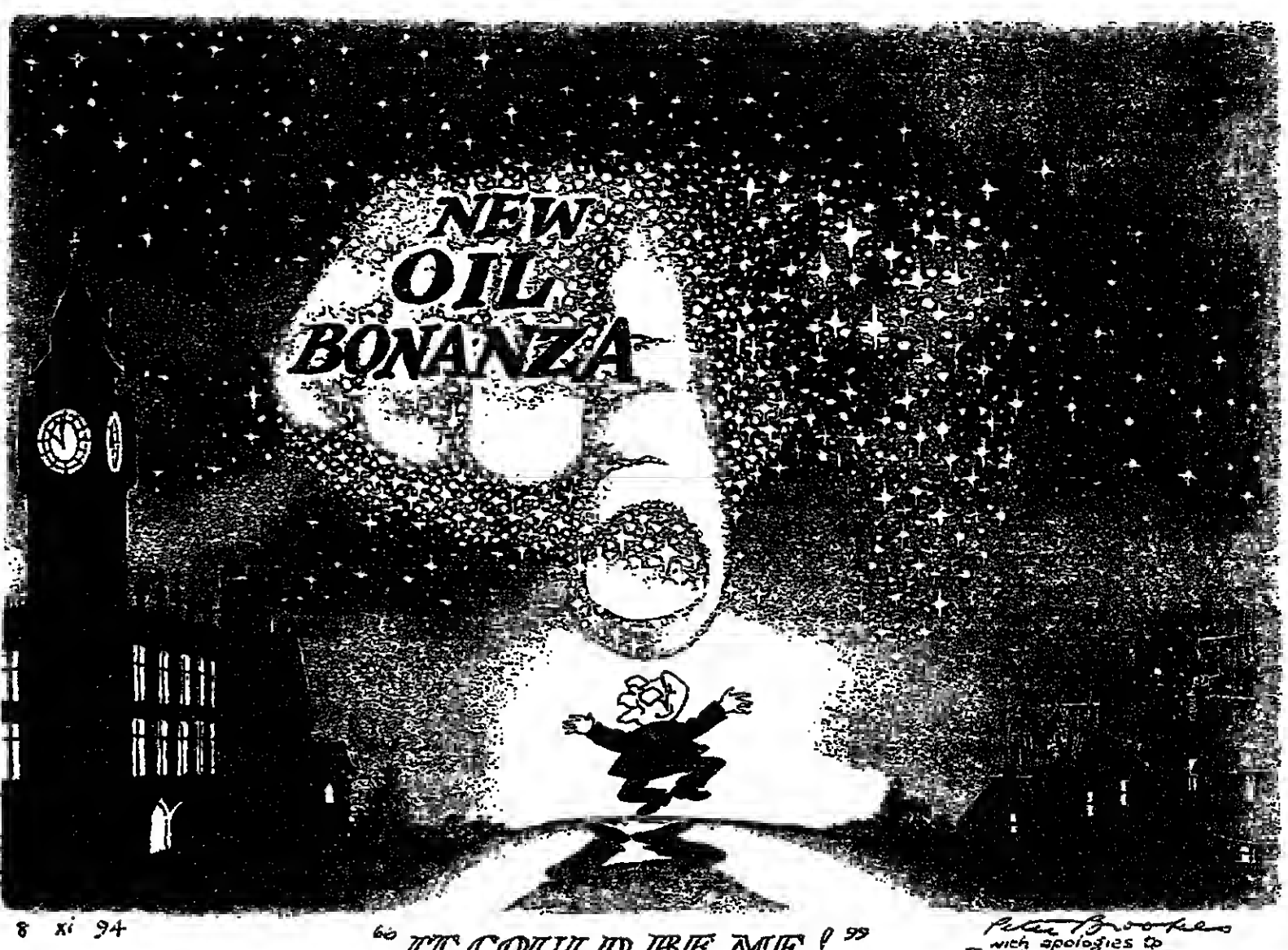
BP are adopting a fast track production method, initially using a floating production platform with offshore loading of oil onto tankers. This enables the company to extract oil without the expense of building a fixed platform which could be developed as more oil is found.

BP said that some £400 million out of the £550 million investment in the first phase of Foinaven would be spent in the UK. Development of the field is expected to proceed at a cracking pace with the first oil due to reach the surface at the end of next year and beginning of 1996. The company said that current estimates of reserves in the area were "a first stab" and the 3.5 billion barrel estimate is likely to be upgraded.

Further funds will be critical to the oil companies' decision whether or not to make the huge capital investment in a pipeline to transport oil to terminals at Sullom Voe in Shetland or Flotta in Orkney.

Production from the field, which was first discovered in 1990 and where appraisal wells were drilled two years later, is scheduled for the end of 1995.

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## Figures show industrial output bouncing back

By Philip BASSETT  
INDUSTRIAL EDITOR

MICHAEL Heseltine, President of the Board of Trade, yesterday painted a highly optimistic portrait of the British economy and insisted that the Government would not "blow it away".

Speaking to the annual Confederation of British Industry conference in Birmingham, Mr Heseltine urged Britain to seize the economic opportunities now open to it, calling on industry to keep down board-

room and shop-floor pay settlements and on business to invest more. Britain, he said, now enjoyed "the most benign set of economic circumstances that I can remember".

According to the Central Statistical Office yesterday, industrial production bounced back in September, confirming that exports and the beginnings of higher investment are keeping industry buoyant. Industrial output, which includes the North Sea, jumped by 1.1 per cent in September over August. In

addition, the office revised August's 0.1 per cent decline to a 0.1 per cent rise. Manufacturing rose by 0.6 per cent in September and August's 0.3 per cent was revised to zero.

The economics team at James Cappel said third-quarter gross domestic product figures were likely to be revised upwards from the 0.7 per cent preliminary report, adding that the "case for a near-term base-rate rise is compelling".

In his speech to the CBI, Mr Heseltine gave a warning that

Britain could all too easily blow away its bright prospects by relaxing its guard against inflation, paying people too much, generating consumer-led overheating in the economy and allowing public spending to get out of control. But, he said, "the Government will now allow this to happen".

The present favourable climate, however, demanded a response from industry, especially on pay. He added that business needed to increase its investment, and cut its rate-

of-return expectations. "The CBI tells me that businesses look for steady demand, for a decent return on new investment. You now have these conditions. But you are still not investing enough."

Howard Davies, CBI director-general, denied the charge of under-investment. "There was criticism in the speech of industrial investment which I don't accept," he said.

Graham Mather, page 18  
Business News, page 26  
Pennington, page 27

## Crew of British trawler missing

By Helen JOHNSTONE

THE six-man crew of a British trawler were missing last night after it sank after a collision in thick fog. Lifeboats and helicopters were searching for survivors about ten miles off the Dutch coast.

The trawler *Larissa*, which had a British skipper and a Dutch crew was working out of a Dutch port though it is registered in Fleetwood, Lancashire.

Senior watch officer Mario Siano said no survivors had been found two hours after the collision with a Maltese registered bulk carrier, *Hero*, just after 5 pm off the Dutch coast at IJmuiden.

The carrier launched a lifeboat and carried out the initial

search for survivors. Last night two rescue helicopters, two lifeboats and several small boats had joined the search.

The rescue operation was launched after the skipper of the *Hero* reported that the fishing vessel was sinking.

Watch officer Siano said coastguards had received an automatic distress signal from a British-registered vessel in the same area at the same time, but no message from the crew themselves.

A woman died and 17 other people were rescued, apparently uninjured, after a lifeboat capsized while ferrying crew members ashore from an eastern European "klondyke" fish factory ship near Lerwick in the Shetland Islands. All those in the lifeboat were pitched into the water.

Coastguards said 16 people were rescued from rocks off Lerwick Harbour and one other from the sea by lifeboat.

A spokesman said conditions and visibility were good: "We have no idea at this stage how the accident happened."

## Ferries to get extra checks

Ferries are to be subject to extra safety checks after it was found that one in three roll-on-roll-off has door faults similar to those believed to have contributed to the sinking of the *Estonia* in the Baltic in September.

Brian Mawhinney, Transport Secretary, ordered new inspections after a survey in the wake of the *Estonia* disaster. Page 7

## Khmer hostages 'beaten to death'

Three Western hostages murdered by Khmer Rouge guerrillas were dubbed to death rather than shot as at first believed, according to a foreign source close to the investigation. "The three died from massive head injuries," he said. Page 12

## Bottomley threat

Judge Brown in Snaresbrook Crown Court threatened to order Virginia Bottomley, the Health Secretary, to explain why a hospital bed could not be found for a defendant suffering from mental illness. Page 3

## Tory backbenchers force new retreat over Europe

By George Brock and Nicholas Wood

REBELLIOUS Tory backbenchers have forced the Government into a tactical retreat over Europe only days after derailing plans to privatise the Post Office.

Senior ministerial sources have indicated that Britain will not — as was expected — be able to ratify the European Union budget agreement by the deadline of the end of the year because of the strength of Tory opposition.

The outline deal, struck in Edinburgh two years ago, would raise Britain's contribution to the £60 billion Brussels budget by around £250 million by 1999. A British failure to ratify by the end of the year — which looks like being repeated in several other states — would plunge the Community into a crisis requiring emergency financial measures to keep EU machinery running.

A highly placed Cabinet source has made clear that the Bill enshrining the EU's next five-year budget into domestic law will not complete its passage before the end of the

year. Ministers are resigned to moving slowly because of the threat of delays by Tory Eurosceptics, aided by a Labour leadership determined to expose 'conservative divisions' over Europe.

With a majority of 14, it will be hard to get the Bill through the Commons in the face of concerted wrecking tactics. Bill Cash, a ringleader of the Maastricht rebels, said last night: "I believe there is a



Cash: change of view within party forecast

reasonable likelihood that we will get a change of position within the Tory Party as time progresses on this matter."

The disclosure of the extent of ministerial anxiety over the European bill came as the Cabinet prepared to decide today the level of domestic spending in the coming year. Ministers will receive a report from EDX, the Cabinet's spending committee, which is expected to recommend a cut of at least £5 billion in the £263 billion ceiling for public spending fixed last year.

Almost all of this reduction is explained by lower than expected inflation and Kenneth Clarke, the Chancellor, may succeed in persuading his colleagues to approve further cuts by squeezing the social security budget, capital spending on roads, hospitals and schools, and Whitehall's running costs. Public sector pay will remain frozen.

Most ministers have settled their negotiations with Jonathan Aitken, the Treasury

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## Four out of five Oxford women 'sexually harassed'

By John O'LEARY  
EDUCATION EDITOR

FOUR out of five women studying at Oxford University have been the victims of sexual harassment, ranging from teasing to obscene telephone calls and rape, despite a student code introduced three years ago.

Racism is even more prevalent, with 97 per cent of black students reporting verbal abuse or physical attacks, according to the most extensive student survey at the university. More

than 600 students responded to a student union questionnaire timed to coincide with Oxford's review of its harassment code. Of the women surveyed, 83 per cent said they had been harassed at least once, usually on occasions involving alcohol, where men congregated in large groups.

The research uncovered two cases of rape that the victims had been too frightened to report. Other incidents included indecent assaults and unwanted approaches from male tutors.

Minor complaints, for example of

sexist jokes or offensive comments, were discounted.

Half of the women surveyed said they did not "feel comfortable" in some college settings. Almost two-thirds of women students considered sexism a significant problem, but fewer than 42 per cent of men agreed.

Oxford recently established a harassment advisory panel to help students and investigate complaints. But the 70-page report says that most students do not know of its existence.

A university spokesman said: "We

always welcome information that is compiled in a responsible way on issues of importance to the university, and we will look at this closely."

Jenni Borg, the student union's welfare officer, said: "This suggests that the situation has got no better since the last survey in 1990."

The student union report confirms the findings of a police survey of students all over Oxford published last summer.

Onerous loans, page 5



# Britain continues to pay price of first oil bonanza

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## Falklands officer with stress disorder dismissed for theft

By MICHAEL EVANS  
DEFENCE CORRESPONDENT

A COMMANDER in the Royal Navy who has suffered from post-traumatic stress disorder since his ship was sunk in the Falklands War was dismissed the service yesterday for theft.

Richard Lane, 47, was the duty anti-warfare officer on HMS Coventry when the destroyer was attacked by waves of Argentine Sky Hawk bombers on May 25, 1982, killing 19 crew members.

Yesterday, at his court martial in Portsmouth, Lane admitted one charge of theft of about \$2,000 while serving in a senior Nato position at Supreme Allied Command Atlantic at Norfolk, Virginia.

Lieutenant Commander Nick Lewin, for Lane, said the theft was a cry for help from a man who blamed himself for the Falklands tragedy. He had lost a close friend when HMS Coventry capsized and taken to drink before his medical condition was diagnosed.

Lieutenant Commander David Steel, for the prosecution, said that in his new Nato post Lane, a father of two and in the navy for 28 years, was entitled to a furniture allowance. He had submitted expenses for \$7,050, claiming it had all been used to buy



Lane leaving the court yesterday

second-hand furniture for his new quarters. But investigators discovered that only half the money had been used for furniture and that he had bought a car with the rest.

Lieutenant Commander Lewin told the court that it was Lane's illness that had caused him to steal the money. He said: "Commander Lane is also a victim of this incident. He wanted to be punished for surviving the terrible event in the Falklands. One of those who died was a close friend of his, another officer who Commander Lane tried to save. He failed when the man fell into the inferno of the computer room."

He went on: "Since that day Commander Lane has felt

guilty for surviving when others died and he blamed himself because he was the on-watch duty anti-warfare officer. That has been a time-bomb ticking away in his head."

The first evidence of his illness had been his drinking, which had recurred on and off since 1982. "He has attempted to destroy all that matters outside of his family - his self-respect, his excellent reputation and his career."

Lane had suffered flashbacks to the "horrible day" when the Type 42 destroyer was bombed by Argentine planes. The court heard an extract from a book, *One Hundred Days*, by Admiral Sir Sandy Woodward, the task force commander in the Falklands, in which he said that "men burned like screaming candles" in the attack on the Coventry.

Surgeon Captain Morgan O'Connell, a psychiatrist who has treated Lane, told the court that a post-traumatic stress disorder often turned men into workaholics.

He said: "It is a condition that may present itself years after the incident. I believe this was an obtuse way of asking for help. People suffering from things like this often find odd ways of calling for help and I believe this was one."

Captain Christopher Page, president of the panel of judges, said in his summary: "We do not accept that the offence was caused by post-traumatic stress disorder." However, they accepted that he was suffering from the illness and suspended a three-month prison sentence.

A spokeswoman for the Royal Navy confirmed that Lane would have received counselling for his experience in the Falklands.

He is believed to be the first serviceman to be court-martialled after being diagnosed as suffering from post-traumatic stress disorder.



HMS Coventry ablaze in the Falklands: 19 died

## Shot ruins a career

A teenage special constable who had received four letters from her divisional commander had to give up hope of a police career after she was shot in the eye with an airgun.

Sarah Barrow, 19, of Middlewich, Cheshire, who served with Cheshire police, was shot as she waited for a taxi in Northwich. Her right eye had to be removed. A 17-year-old youth has been charged in connection with the incident.

## Police pay damages

A mini-cab driver was awarded £70,000 from the Metropolitan Police yesterday for alleged assault, false imprisonment and malicious prosecution on a drugs charge.

Anson King, 34, from Hackney, east London, sued Sir Paul Condon, the Metropolitan Police Commissioner, after being strip-searched and imprisoned. The police did not admit liability.

## Judge warns murder jury

A judge warned jurors at the Old Bailey trying two men for the murder of a stranger not to be influenced by the "understandable horror" at this senseless killing.

The jury will retire today to consider its verdict on Jamie Petrolini, 19, of Grantown-on-Spey, Highland, and Richard Elsey, 19, of Beaconsfield, Buckinghamshire, who deny murder.

## Boxer 'attacked ex-lover after finding picture'

By A STAFF REPORTER

HERBIE Hide, a heavyweight boxing champion, slapped and kicked his former girlfriend after finding a photograph of her with another man, a court heard yesterday.

Deborah Edmonds, 22, alleged that the World Boxing Organisation champion smashed the photo frame and hit her with the back of his hand, knocking her on to her bed. He hit her with one of her own shoes and kicked her several times, she alleged.

"I was screaming," she told Norwich Crown Court. "I managed to get into my mother's bedroom and call her on the phone."

Mr Hide, 23, who has homes in Romford, Havering and Norwich, denies assault causing actual bodily harm, theft of Miss Edmonds's clothing worth about £500, and criminal damage to a photograph frame.

Miss Edmonds said she met Mr Hide when she was 17. They ended the relationship in July 1993. The alleged attack happened in October 1993

after he followed her home to Sutton, Norfolk. She said she allowed him inside for a cup of tea.

He said he wanted to go to the lavatory but instead went to her bedroom and saw the picture, the court heard. He started gathering clothing he had bought her, saying he was going to take it away. She suffered bruises and grazes.

Miss Edmonds agreed with Graham Parkins, QC, for the defence, that Hide was a "shy and generous man". She had become pregnant by him and he was delighted. After they had a blazing argument, she raised the question of an abortion. "Our relationship was stormy and I thought if I went ahead and had the baby I would be tied to him for the rest of my life," she said.

Mr Hide did not agree with the abortion, but Miss Edmonds went ahead. She denied that on the day of the incident she and Mr Hide had been making love vigorously on the living room floor. The case continues.



Deborah Edmonds and Herbie Hide, the boxer

## Dream home motivated killer

By A STAFF REPORTER

A HITWOMAN broke down in tears at the Old Bailey yesterday as she described shooting a roofing contractor in the face in return for the money to buy a mobile home.

Te Rangimarie Ngarimu, 27, a New Zealander, was promised £7,000 if she murdered Graeme Woodhatch, 38, while he was a patient at the Royal Free Hospital in Hampstead, north London. She has admitted shooting him on May 24, 1992.

"There were four shots - but I remember pulling the

trigger only once. That shot hit him in the face. I remember seeing him rolling around on the floor screaming," she told the court.

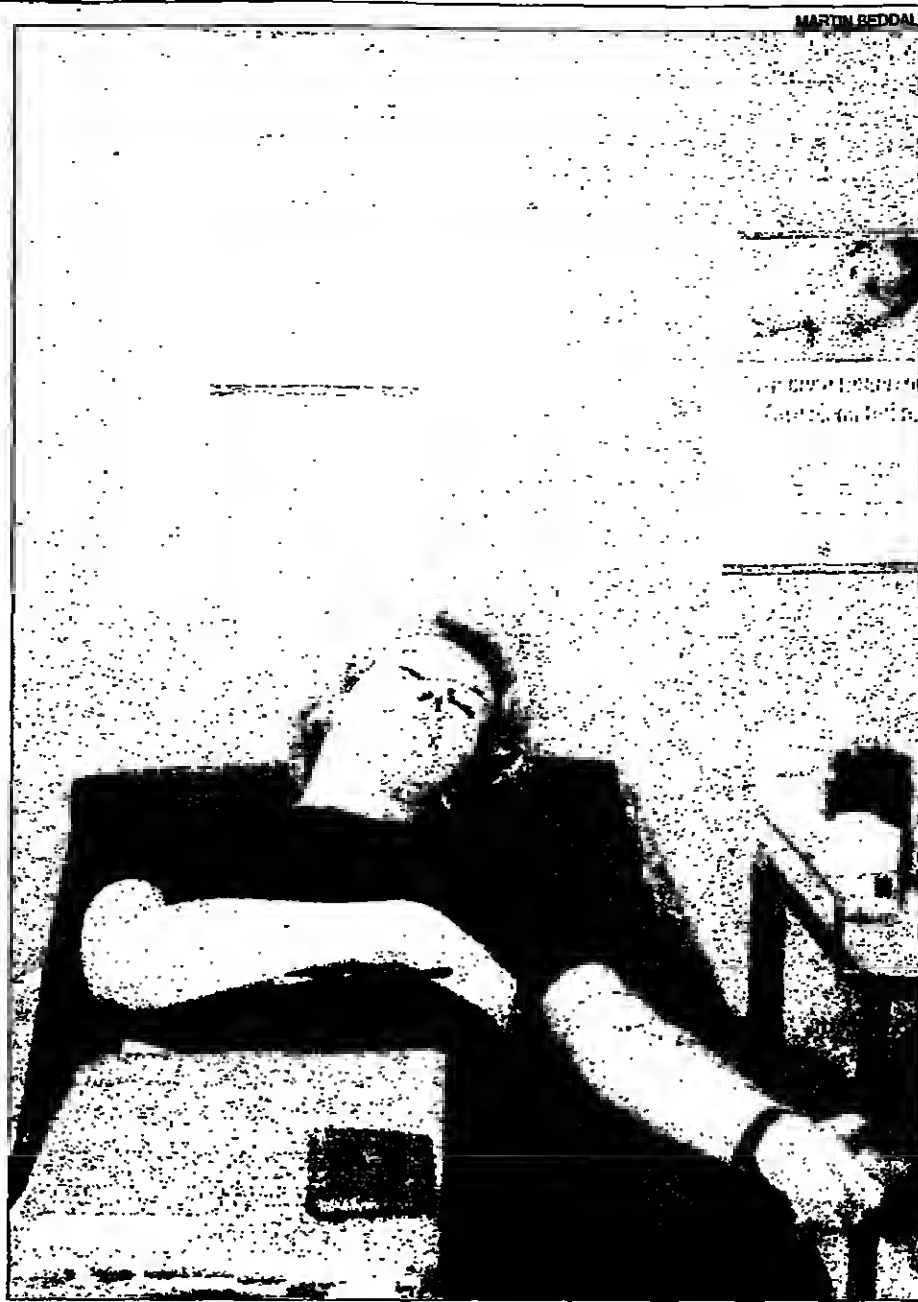
The prosecution alleges that although she was "the hired gun", two men - Delith Bridges and Paul Tubbs - had planned the killing. Mr Bridges, 22, of Leeds, and Mr Tubbs, 35, of Enfield, north London, deny conspiracy to murder but admit perverting the course of justice by disposing of the gun used.

Ms Ngarimu said: "Delith

told me just think about the house [mobile home], I had always wanted one - it was going to be my home. I thought about it - and I shot him."

Ms Ngarimu said that after she returned to New Zealand, she "had found the Lord". As a result she had told police she was prepared to tell the whole story.

She agreed her actions had been those of a cold-blooded killer who had acted without compassion and morality. The trial continues.



Virginia Bottomley at the launch of a campaign for blood donors in London yesterday

## Second judge calls on Bottomley to explain lack of beds

By JEREMY LAURANCE, HEALTH SERVICES CORRESPONDENT

A SECOND judge yesterday threatened to order the Health Secretary, to appear before him to explain why a hospital bed could not be found for a defendant suffering from mental illness.

Judge Brooks said he would make an order for Virginia Bottomley to attend Snarebrook Crown Court in east London if a place at a medium-secure mental hospital was not found for Dahir Wasama, 25, within the next 36 hours.

In the Old Bailey two weeks ago, Judge Laughland, QC, threatened similar action against Mrs Bottomley. On that occasion a bed became available within days.

Mr Wasama, who denies attacking and wounding a man in Finsbury Park, north London, last June with intent to cause grievous bodily harm, has been judged mentally unfit to plead. He has been held in Pentonville prison but he is not receiving psychiatric care.

Judge Brooks said: "If a hospital bed is not found for this man within 36 hours I want Virginia Bottomley to appear in this court and explain to me personally why not. The general public has a right to expect a better service than this."

Later, after an urgent fax was sent to the court in the lunch adjournment, the judge granted the Depart-

ment of Health seven days to find a bed.

Helen Cameron, director of community care for East London and City Health Authority, said afterwards: "I have been ringing around on a daily basis, but all the beds in the country are full at the moment and it is a question of waiting until one becomes available that is suitable."

A Health Department spokesman said the judge could call Mrs Bottomley but could not compel her to appear in person. "She could be represented by counsel," he said.

## Give blood at the office

Virginia Bottomley is to urge companies to organise blood donor sessions at work in an effort to stop blood shortages.

The Health Secretary, who gave blood at a clinic in London's West End yesterday, said: "Most people will give blood when asked and if they can do so conveniently. Twenty-two million people come to work every day and the workplace is the most practical place to give blood on a regular basis." She will unveil the plan at a meeting before the CBI conference in Birmingham today.



## How Yehudi Menuhin keeps time.

If all he did was play the violin, that would surely be enough. However, the enthusiasms of Lord Menuhin extend much further.

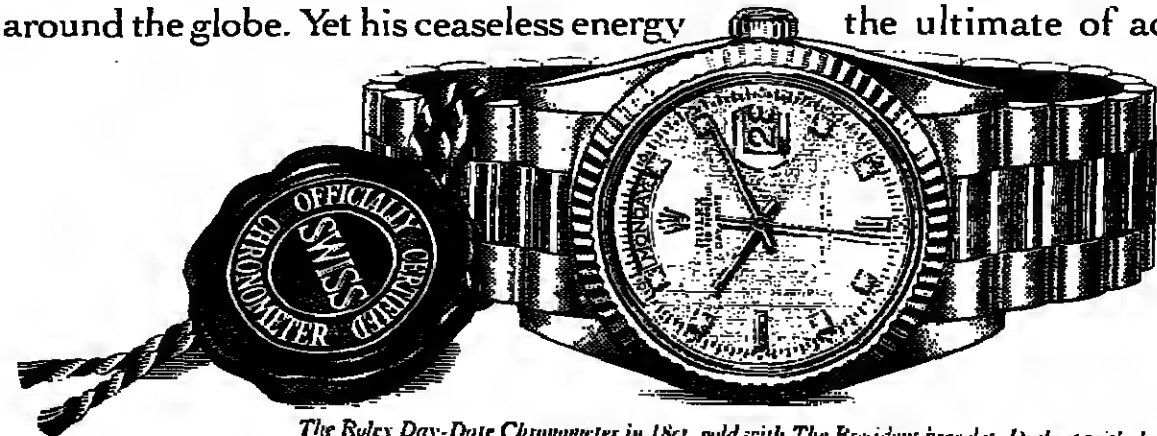
He has used the opportunities that travelling the world has given him, not just to delight countless audiences with his playing but also to use music as a medium for promoting his own humanitarian beliefs.

For his manifold achievements, Lord Menuhin has received honours from all around the globe. Yet his ceaseless energy

chooses to allocate his precious time in a life committed to constant globe-trotting is clearly a matter of some concern for him. On the other hand, how he chooses to keep time is a matter of considerable satisfaction to us.

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Author accuses national heritage custodian of favouring aristocrats

## Trust rejects claim of purveying fantasy

By MICHAEL HORNSBY, COUNTRYSIDE CORRESPONDENT

THE National Trust defended itself yesterday against criticism that it has become an upper-crust organisation out of touch with the interests of its 2.2 million members.

A new book on the trust, which celebrates its centenary next year, suggests that its role as custodian of the national heritage has too often been overshadowed by an eagerness to allow aristocrats to go on living in their ancestral piles at public expense.

The book's author, Paula Weidger, an American journalist who has lived in Britain since 1979, said: "The trust has become a purveyor of fantasy and nostalgia about a vanished way of life."

"An awful lot of its resources are concentrated on preserving country houses. There ought to be much more open discussion of priorities. It can cost up to £500,000 to re-roof a stately home. For a fifth of that you could protect a whole stretch of coastline."

Sir Angus Stirling, director-general of the trust, rejected her criticism. "This book com-

pletely misunderstands what we are about," he said. "Some 10 million people visit our houses every year. If we had got things as badly wrong as the author suggests, would these people keep coming back?"

"A lot of houses came to the trust because they had fallen on hard times. The trust has put life back into them, albeit a different sort of life. They are used for events and concerts and many that had been stripped bare are now filled with furniture and pictures."

He points out that, in addition to houses, the trust owns and protects 540 miles of coastline and 25 national nature reserves.

In the 1920s and 1930s a combination of death duties and agricultural depression forced many aristocrats to sell family homes. Of the 207 trust-owned houses open to the public, 54 have members of the donor family living in them.

Ms Weidger says that too many of these agreements allow owners to live rent-free

in properties which have never become properly accessible to the public. She cites the case of Sir Richard Carew Pole, who lives in Antony House, an 18th-century mansion with extensive gardens above the Tamar estuary in Cornwall.

The house is open to the public for only seven months of the year, and then usually only three afternoons a week.

Sir Richard said yesterday: "The essential thing about Antony is that it is a small house. If you get a lot of people coming round you are going to spoil their enjoyment and damage the fabric of a house, which is the one thing you wish to preserve."

A spokesman for the trust's Cornwall office said: "It is not true that Sir Richard pays no rent. There is a shared financial responsibility for the maintenance of the house and this includes an element of rent." The trust refused to say how much that was.

□ *Gilding the Acorn: Behind the facade of the National Trust*, by Paula Weidger (Simon & Schuster, £17.99)



Sir Richard Carew Pole, right, outside Antony House with his late father

## Lady Lucan 'sure' husband is dead

By EMMA WILKINS

LORD Lucan, who disappeared exactly 20 years ago after the murder of his children's nanny, is dead, his wife said yesterday.

The Countess of Lucan, who still lives in Belgrave, southwest London, near the house where Sandra Rivett was killed, said that her husband would have behaved in a noble way after the events of the night of November 7, 1974. "I am sure he is dead," Lady Lucan said in an interview on GMTV. "My husband was — is — a nobleman and he would behave in a noble way."

Lady Lucan, who was also attacked on the night Miss Rivett died, is not bitter about her husband's disappearance, which followed a long legal dispute over custody of their children, George, Frances and Camilla. "There was no bitterness on my side. I have always called it a tragedy — a misunderstanding," she said.

Lady Lucan, 58, suffers from osteoarthritis and finds it difficult to leave her mews house in Eaton Row, which is five minutes' walk from the Plumber's Arms, where she raised the alarm 20 years ago.

Police issued warrants for the arrest of Lord Lucan, alleging that he had killed Miss Rivett after mistaking her for his wife in the darkness of the

basement at 46 Lower Belgrave Street. The case remains open, and detectives receive an average of 60 tip-offs a year from people who claim to have seen the missing earl. An inquest jury concluded that Lord Lucan had committed the murder.

Solicitors acting for the family trustees, Coutts and Co, are expected to ask a High Court judge to have Lord Lucan "sworn to be dead".

The process aims to secure an inheritance for the three children and would enable the family's financial and tax affairs to be put in order. It would not prevent Lord Lucan from standing trial, were he to be found.



Lady Lucan: "There was no bitterness"

## Archbishop questions existence of souls

By RUTH GLEDHILL, RELIGION CORRESPONDENT

THE Archbishop of York, Dr John Habgood, said last night there was nothing in the human body that "departs" when we die, and that nothing in organic life was immortal.

Dr Habgood, speaking in Wolverhampton on "the biology of the soul", said an individual's identity was "held in the mind of God". The "continuity of the self" after death did not depend on what was happening to a person's body. He predicted that the day would come when "some laboratory-produced contrivance will claim to be admitted to the hitherto closed circle of all living things".

Dr Habgood said: "The continuity of the self is rooted in the faithfulness of God towards what he has created."

He said he did not like the word "soul" because it had so often been used in misleading ways. Souls were "peculiar religious identities which religious people profess to believe in, and they have the special property of being able to go to heaven", he said, adding that "hell is not regarded as a serious option these days".

Dr Habgood said without death there could be no change. "We must all die so that others may live. What religions have characteristically done, though, is to change the meaning of death." Questions such as the resurrection of Christ were high theological mysteries.



Habgood: hell not an option these days

## Police offer reward for knife killer

Police have offered a £15,000 reward in the search for a burglar who stabbed a man to death in his bed. Geoffrey Nadin, 47, was wounded in the chest on Friday after handing over his wedding ring and £15 in cash.

As he lay dying his wife Margaret, 43, was led downstairs by the burglar. He asked for more money before cutting the telephone line in their home in Ashton-under-Lyne, Greater Manchester. Yesterday police said that the killer would commit more burglaries. He is described as white, slim and 5ft 10in.

## Son charged

John Marshall, 19, a student, was remanded in custody by South Gloucestershire magistrates charged with murdering his mother, Marjorie Marshall, 50, at their home at Tetbury, Gloucestershire. The case was adjourned until November 15.

## House call

The organisers of the National Lottery have begun one of the biggest leaflet drops in the UK. Nearly 22 million leaflets will be delivered. Tickets for the lottery go on sale on Monday. The draw for the first £2 million jackpot will be on November 19.

## GP accused

Dr Nainakanti Reddy Ram, 51, a GP from Cramlington, Northumberland, has been charged with 18 sex offences. He was remanded on unconditional bail until December 5 by magistrates at Bedlington.

## Crewman held

A man has been questioned by police at Portsmouth over allegations that a woman was raped on a ferry. The man, a member of the ferry's crew, was detained aboard *The Pride of Le Havre*.

## Soaps honour

The British Academy of Film and Television Arts is considering creating a category to honour soap stars in its annual awards.

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## 50 per cent of graduates not able to repay student loans

By BEN PRESTON, EDUCATION CORRESPONDENT

HALF of all graduates who have taken out student loans are too poor to make repayments or are failing to settle their debts, official figures disclosed yesterday.

The unexpectedly high proportion will delay by several years the point at which the Government's student loans scheme breaks even. Statistics prepared for the Education Department show that £751 million has been lent to students since the scheme began in 1990 and only £193 million has been repaid.

Borrowers are entitled to defer payments if they earn less than 85 per cent of the national average — about £14,500 a year or £216 a month. About 11,000 (41 per cent) of the 269,000 graduates eligible for repayments have been granted deferment, up from 36 per cent last year.

A further 23,000 graduates (8.6 per cent) have fallen behind in their repayments, 18,000 by two months or more.

Jim Murphy, president of the National Union of Students, demanded an immediate review of the Student Loans Company. He said: "The system is simply not

working. It is failing students, graduates and the taxpayer."

He said more graduates than ever before were saddled with debts. "Some 18,000 graduates who are two months or more in arrears are at risk of court action to recover the money yet cannot get through to the company because the telephone is almost permanently engaged."

Bryan Davies, Labour's higher education spokesman, said the scheme was failing, with only 47 per cent of eligible students taking out loans despite widespread hardship. He said: "Clearly students are preferring to get part-time jobs while they study rather than take out loans, which can only mean their studies suffer."

Hugh Macadie, the company's loans administration director, said it was making good progress although the forecast that repayments would start to exceed borrowing early in the next century was based on optimistic estimates of repayments and take-up. He said projections had been reduced to take account of the reduced job opportunities for graduates.

The average loan is £736, costing about £13 a month to repay, over five years. A student taking full advantage and borrowing the maximum £800 for a three-year degree course outside London would face repayments of more than £40 at the current interest rate.

The Education Department said the system was designed not to put an onerous burden on graduates but to ensure they could make repayments comfortably. "As graduate salaries begin to recover we would hope the level of deferments declines."

Davies studies are clearly suffering

See survey, page 1

## Mellor refuses to quit over affair with Viscountess

By EMMA WILKINS AND ALICE THOMSON

DAVID Mellor rejected suggestions yesterday that he should resign as an MP following his admission of a relationship with a married woman. Mr Mellor, who intends to divorce his wife Judith after 20 years of marriage, said it was up to his constituents in Putney to judge whether he should remain their MP at the next election.

"Resigning would do the Conservative party and my constituents no good," he said. "I work like a dog for my constituents. I intend to continue to do so. When the election comes, we shall see what judgement people put on this."

Despite her husband's admission of an "extremely close" relationship with Viscountess Cobham, 40, a former adviser at the department of National Heritage, Mrs Mellor said she supported him. "I would always want to stand by him... whatever he does in the future," she said. "He is an excellent member of Parliament and he has a great many strengths."

While sad about the separation, Mrs Mellor denied that she was the victim of her husband's infidelities. "This picture of me as a devastated betrayed wife is total non-

sense," she said on GMTV. When she had finished speaking, Mrs Mellor asked the presenter if he would like her husband back on the line.

The presenter joked: "Would you like to have him back?" Mrs Mellor laughed and said "Yes", but then added: "But with me, I don't have that problem."

Complaining about press coverage of his private life in two telephone calls to national radio and television stations, Mr Mellor said newspapers were attempting to destroy his character. "They want to publicise my personal life and destroy me as a person by making me out as a monster, which I am not."

Mr Mellor is thought to have killed off any remaining chances of returning to the Government with the disclosure of his affair with Viscountess Cobham. Colleagues believe that he has finally gone too far and several have privately said that he should stand down as an MP at the next General Election.

Mr Mellor does have one backer, Alex Elliott, the chairman of his local Conservative party in Putney. Mrs Elliott said: "Royalty does it, so is it so horrific if someone has an affair?"

## Soldiers in death case face lesser charge

FROM MICHAEL THEODOULOU IN LARNACA

THREE British soldiers accused of killing a tour guide in Cyprus have had their charge reduced to manslaughter. The original charge of pre-meditated murder carries a mandatory life sentence with no remission, but life imprisonment is the maximum punishment for the lesser offence.

The riflemen, Jeff Pernel, from Oldbury, West Midlands, Justin Fowler from Falmouth, Cornwall, and Alan Ford, from Birmingham, appeared in court briefly yesterday.

The prosecutor, Petros Clerides, said after the hearing: "It's a technical point. In Cyprus we have either pre-meditated murder or manslaughter, with nothing in between, but if the judges decide this was wilful manslaughter, they can still impose a very long sentence. Two other charges, of kidnapping and conspiracy to rape, still stand. Each carries



The British servicemen, Justin Fowler, left, Jeff Pernel and Alan Ford, right, being escorted into the court in Larnaca yesterday

a maximum sentence of seven years. The soldiers have yet to enter pleas, but their lawyers said they would deny all charges. Aotiois Andreou, lawyer for Mr

Pernel, said the murder charge had been changed after the prosecutors studied police evidence. "They came to the conclusion that malice aforethought would be too

difficult to prove because there is no evidence that any of the soldiers had ever met the girl before, or that they intended to kill her." The three soldiers made no com-

ment in court, but their lawyers said they had complained of the cold in Nicosia Central Prison. The soldiers were serving with the 1st Battalion, The

Royal Greenjackets, when Louise Jensen was allegedly battered to death near Ayia Napa in September. The case was adjourned until November 24.

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Judith Mellor says she will stand by her husband

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## Transport Secretary orders random inspections of ferries using British ports

## Safety experts find faults in bow doors of 35 ro-ro vessels

By TIM JONES, TRANSPORT CORRESPONDENT

THE Government's marine safety experts have been ordered to step up unscheduled inspections on ferries after one in three roll-on, roll-off vessels operating from British ports was found to have faulty doors.

Tests carried out by the Marine Safety Agency after the *Estonia* sinking, in which more than 900 people died, showed that 21 of the 33 British-flagged vessels and 14 of the 49 foreign-flagged ships needed minor repairs.

Dr Brian Mawhinney, the Transport Secretary, said: "While I welcome the fact that everything was fundamentally sound I was surprised that 35 ships needed work done on them. I have therefore asked the Marine Safety Agency to step up unscheduled inspections and to write to all ferry companies reminding them of

the need to pay the closest attention to even the smallest safety detail."

Only one vessel, the Danish passenger ferry *Winston Churchill*, operating out of Newcastle upon Tyne, was detained for repairs to her stern doors.

Dr Mawhinney, who was speaking as he was shown tests on the bow doors of the P&O European Ferries ship *Pride of Calais*, said: "All of the tested vessels were watertight and seaworthy. Roll-on, roll-off ferries are safe. The agency has assured me the general standard of safety was extremely high and in no case was passenger safety compromised."

Dr Mawhinney said the agency would be undertaking further research into ferry safety. "In the light of the failure of the *Estonia* bow

doors, the agency intends to initiate a wide-ranging re-assessment of the configuration of both bow and stern doors, their operating mechanisms and their safety and reliability."

He has also asked the agency to begin computer-based modelling tests to investigate what effect bulkheads might have on the survivability of a ship in the event of water reaching the car deck.

Robin Bradley, the agency's chief executive said: "Common problems included slight leaks of rubber seals and minor fractures in brackets and fittings. In most cases repairs were carried out before the ship sailed or soon afterwards. A few minor repairs are still awaiting spares or will be finished at forthcoming refits."

None of the deficiencies, he

Dr Brian Mawhinney on board the *Pride of Calais* in Dover yesterday during water testing of the inner doors

said, compromised the watertight integrity of the vessel. Despite worldwide concern over ferry safety, Britain is the only country to have introduced a specific inspection regime for the vessels. Initiated after the *Herald of Free Enterprise* disaster, they in-

volve two or three surveyors travelling incognito on the ferries to check safety systems.

Recently, the agency has introduced a programme of combined inspection with the French administration on cross-Channel routes.

Paul Barney, the Briton who

survived the *Estonia* disaster, said: "I heard about the survey today and I think it is shocking. I believe the Department of Transport are trying to play it down. But I think they are concentrating too much on the design of the bow doors. They should be reviewing the inter-

nal design of the ship so that if water does get in it cannot slosh around and cause the ship to capsize and go down in minutes."

He is currently working on a documentary about the design of ro-ro ferries, to be screened in the new year.

## Motorists face bill of £2,000 in clean-up

By NICK NUTTALL, ENVIRONMENT CORRESPONDENT

A CAMPAIGN to curb car pollution could cost drivers more than £2,000 a year, the RAC said yesterday.

The motoring organisation says that measures being considered by ministers, which include higher petrol prices and road tolls, could add £1,900 to London motoring bills. But this does not take into account the inflationary effect on High Street prices. Dr Jeremy Vanke, the RAC's environment manager, said that motorists outside London could face extra costs of £1,400.

The findings come amid police action against polluting vehicles. Over the past week, officers have been stopping suspect vehicles in London to test exhaust fumes.

Testing is to be extended this month to other cities, including Glasgow and Birmingham.



## KEENE on CHESS

By RAYMOND KEENE, CHESS CORRESPONDENT

## Staunton Memorial

The winner of the Staunton Memorial tournament held at the Burlington Cafe in the grounds of Chiswick House, London, was the international master Neil McDonald who made the fine score of 11.5 points from 15.

In second place was Chris Dunworth, who thus registered an international master performance. The score of Barry Martin, captain of the Chelsea Arts club team, was sufficient to guarantee him a rating on the next Fide list.

## Pawn promotion

A common query is what happens to a pawn when it reaches the eighth rank. Normally it would be promoted to a queen but one can also choose promotion to rook, bishop or knight. The pawn cannot stand as a pawn on reaching the back rank, nor can one make a new king. A promoting pawn can become any piece, regardless of which pieces are still on the board. The following brilliant game by the grandmaster Tony Miles shows just how devastating promotion to a knight can be.

White: Atalik

Black: Miles

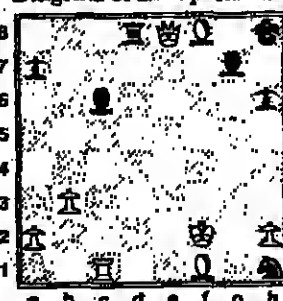
Iraklion 1993

King's Indian Defence

1	d4	Nf6
2	c4	e5
3	Nc3	Bg7
4	e4	d8
5	f3	0-0
6	Be3	c5
7	Nge2	Nc6
8	Qc2	e6
9	f4	b6
10	Bg5	Ba6
11	d5	Na5
12	b3	h6
13	Be3	exd5
14	Nxd5	Nxd5
15	Qxd5	b5
16	exb5	Bxb5
17	Nc1	Bc6
18	Qc2	h5
19	Qxc6	Qa6
20	Qxc5	h4
21	f4	Nd3+
22	Nxd3	exd3
23	Kf2	Kf6
24	Qc4+	g5
25	Qxd3	g4
26	Rc1	g3
27	Qe2	g2
28	Bc5	h3
29	Qxh3	h2+
30	Bxh3	g1h1+

White resigns

Diagram of final position



If 31 Kf1 Rxe8+ or 31 Kgl Bd4+

Winning Move, page 48

## THE TIMES DILLONS FORUM

## Sir John Harvey-Jones

IN business, people are the most powerful resource we have, but still the most under-exploited. We underestimate their intelligence and their initiative and we fail to get the best out of them for business. So argues John Harvey-Jones, one of Britain's best-known and most admired businessmen, in his new book *All Together Now*.

John Harvey-Jones will put forward the blueprint for people-management that he believes could put the UK at the forefront of world business at this Times/Dillons Forum. The forum will take place in the Logan Hall, Institute of Education, 20 Bedford Way, London WC1 on Wednesday November 9 at 7.30 pm. John Harvey-Jones will be signing copies of his new book after the event.

Tickets to this event, priced at £10 (concessions £7.50), are available by calling Dillons on 071 915 6613 or by completing and posting the form below.

## THE TIMES

## THE DILLONS FORUM

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**BY NICHOLAS WOOD, CHIEF POLITICAL CORRESPONDENT**

In a speech to businessmen

### Blair: seeking the mantle of radicalism

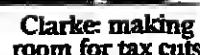
Mr Blair will say: "Tory radicalism may be extinct now that they have buried Thatcherism. But Labour radicalism is not. The idea that all radicalism is dead because

"Our job is not to do the work of industrial companies, but create the environment in which all sorts of businesses work together, new investment takes place and Britain is a core player in future European co-operation."



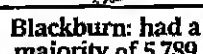
**By JONATHAN PRYNN, POLITICAL REPORTER**

The Government has an-  
disabled.



responsible for the largest budget in Whitehall, the £88 billion social security bill, has been asked to find deep savings in housing benefit. There is also expected to be a further cut in state help in meeting the mortgage payments of the unemployed. Mr Lilley may be rewarded with Treasury backing for his proposals to help the disabled.

BY JONATHAN PRYNN, POLITICAL REPORTER



He is the first candidate to be selected by the main parties for the by-election, at which the Tories will defend

Mr Pearson, 36, who appeared at a press conference yesterday in the "New Lab-

Married with two young daughters, he was born, went to school and lives in the constituency.

**BY IAN MURRAY, COMMUNITY CORRESPONDENT**

**VILLAGES** must be given more control over their own destiny. John Gummer, the Environment Secretary, said yesterday. Announcing details of a countryside White Paper, he told the Association of County Councils annual conference in Leicester that much had to be done to protect and develop the countryside.

He said that while towns and cities had influence, the countryside had no voice.

"The countryside is a workplace and we mustn't allow it to be dominated by those who have made their money elsewhere and who don't care about those who need to make their living there."

Mr Gummer said that to fit planning away from out-of-town developments would ensure the vitality of the countryside was preserved.

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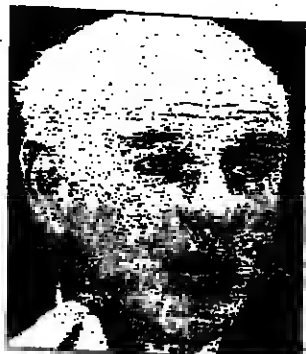
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**VODAFONE**



# CBI tells Tories to resist short-term boost



Davies priorities for competitiveness

THE Government must not resort to a "cut and run" tax strategy for short-term electoral reasons, the director-general of the Confederation of British Industry said yesterday.

Howard Davies used his keynote speech at the CBI's annual conference in Birmingham to urge ministers not to take action to stimulate the political "feel good" factor at the expense of long-term economic stability and growth.



Instead, he said, they should stick to longer-term thinking about the economy.

Speaking in advance of the Chancellor, Kenneth Clarke, who addresses the conference today, Mr Davies said that the economic recession had

taught some hard lessons which had to be carried forward into the recovery. He said: "There is a temptation to forget those lessons and to think that the upturn has solved all our problems."

That was not the case and, Mr Davies said, it was in such periods of recovery that governments had made damaging long-term mistakes in the past, when they were "seeking, for political ends, to over-egg the pudding—to make the consumer, and the taxpayer, feel good today, but at the expense of an inflationary

hangover tomorrow". A long-term strategy for competitiveness was essential if the economy was to be lifted into a sustainable growth rate of 2.8 per cent from its long-term average of 2.1 per cent, the required rate if Britain was to achieve the objective set out by the Prime Minister in his speech to the Conservative party conference last month of doubling living standards. Such a growth rate would be "a stretching target, but perhaps not an unrealistic one".

Mr Davies said: "There will be — there already are —

voices arguing for a "cut and run" tax cut strategy with short-term electoral focus. Those calls must be rejected."

Doing so would be easier if anti-inflation policy were taken out of party politics, allowing the CBI to repeat its call for an independent Bank of England, which would in any case be necessary if, as business now clearly wanted, Britain was to move forward to economic and monetary union in Europe.

Mr Davies appealed to the Government to bring forward next year a revised version of

the White Paper on competitiveness which would measure what had been achieved and put forward new ideas to fill any gaps.

Listing 11 specific priorities for competitiveness, including a stable financial environment, a new transport policy and improved education and training programmes, Mr Davies said that Britain now had a Prime Minister and a Government which potentially could be very supportive to industry. He added: "This could be the year in which they prove it."



Carey: "wealth is God's plan"

## Ethics in business 'like spot the ball'

By RUTH GLEDHILL, RELIGION CORRESPONDENT

THE Archbishop of Canterbury, Dr George Carey, compared business ethics to a "spot the ball" contest yesterday, arguing that for some, "your guess where to put the cross is as good as anyone else's".

Dr Carey said wealth creation was part of God's plan, inherent in the nature of creation and, as such, a high calling. But he said: "We are all responsible for assessing continually, from a moral viewpoint, the overall results of seeking to create wealth within the current framework of laws and incentives."

Dr Carey, addressing businessmen and women at the Manchester Business School, compared himself to a salesman, setting out his spiritual wares before his audience. He said that without ethics and morality, business would collapse.

"Where it is not possible to trust in integrity, fair dealing, the fulfilment of promises and observance of the law, the impulses of commercial self-interest degenerate into gangsterism and corruption and orderly business distinguishes," he said.

Dr Carey called for a stronger partnership between the Churches and the business community. "We can do much better than simply spotting the ball," he said. "If wealth creation is part of God's plan, it cannot be inherently bad."

## Brussels pledges to head off social chapter opt-out

By PHILIP BASSETT, INDUSTRIAL EDITOR

BRUSSELS gave a warning to the Government yesterday that it would press ahead with European employment laws despite British opposition, and seek to end Britain's opt-out from the European social chapter.

The clear warning from Paddy Flynn, the Social Affairs Commissioner, was made at the Confederation of British Industry conference. It immediately prompted the threat of a legal challenge from the Government's European spokesman on employment issues, but was firmly backed by Labour.

Mr Flynn told the conference that Brussels wanted to revise completely the "out-of-date" employment systems of the European Union's member states, including taxation, social security, labour law, education, training and industry-employee relations. He said that, far from being a "socialist conspiracy", future social policy would be an important part of the EU's development.

Mr Flynn, speaking later to *The Times*, said that at the 1996 intergovernmental conference on the future of the EU the European Commission would be pressing Britain to abandon its opt-out from the social chapter of the Maastricht Treaty. Stressing the importance of a single legal framework for all member states, he said: "The way

forward is to have everybody playing with the same football."

While he insisted that there was no need for a big new programme of legislation, Mr Flynn made it clear that the Commission intended to move forward the social policy issues it had already tabled, including moves on paternity leave, part-time working and UK employees working



Flynn: "playing with the same football"

abroad. Britain has already used its veto on statutory paternity leave, and Mr Flynn told the CBI that, if agreement was not possible on others, the Commission would trigger the social chapter and begin to seek agreement on the issue between employers and employees.

Graham Mather, the Government's employment

spokesman in the European Parliament, said Mr Flynn's policy was "legally false" and his attack on Britain's opt-out was a "revealing giveaway" of Brussels' intention to create federal employment laws. He said: "If Mr Flynn continues to challenge the Maastricht agreement, Britain should raise the stakes and challenge the Commission's jurisdiction to act in this area at all."

Sir Michael Angus, the CBI's deputy president, told the conference it was essential that "social objectives are not pursued at the expense of competitiveness, but rather result from it".

Robin Cook, in his first speech since becoming shadow Foreign Secretary, called for honesty in the disagreement between Labour and business over European social policy, urging industry not to be over-extreme in its opposition and accepting that Labour might have "over-egged" the provisions of the social chapter as though it offered a "workers' paradise".

He said Labour would have four key priorities in Europe: making the single market work properly; making regulations apply "symmetrically" to all member states; reforming the Common Agricultural Policy; and deepening European integration "without threatening the widening of Europe."



## Directors' rises endanger recovery

By ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

BOSSSES who accepted excessive pay rises yesterday accused of threatening industrial recovery by Sir Bryan Nicholson, the president of the Confederation of British Industry.

Sir Bryan said there was no excuse for giving bosses bigger rises than workers. He said the overwhelming majority of CBI members were fed up with directors who set a bad example on pay.

"We have a clear responsibility, moral and political, to set an example on pay discipline," he told members. "We cannot be satisfied with a situation in which pay increases for the management and the board run ahead of those

awarded to the workforce." He said companies had a duty to ensure that inflation was kept in check, and that workers shared the rewards of successful company performance.

"We must recognise that the credibility of the inflation discipline is undermined if management — and boardrooms in particular — award themselves increases and performance bonuses that are not only well above inflation but also out of proportion with the rewards received by the workforce for the very same company's performance," Sir Bryan said.

He said that although the economic outlook was the best for 30 years, the

upturn was still finely balanced. "A bit of tax-cutting here, a touch of pay inflation there, and like a shot we could be right back at square one," he said.

He called for the Government to keep up the pressure on inflation, now running at 2.2 per cent, and "maintain its favourable fiscal and monetary stance in a tight Budget" later this month.

However, he said there was a case for investment incentives, particularly directed towards small firms, to help Britain to achieve the investment levels needed to overhaul the lead established by our industrial rivals such as Japan and the United States.

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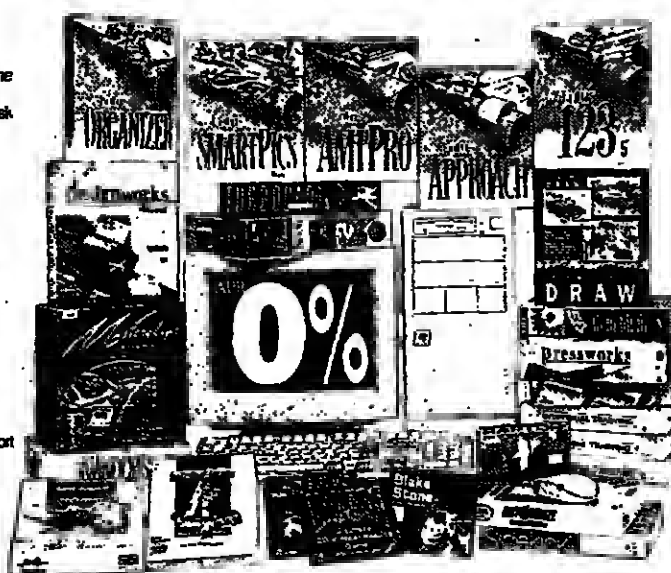
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## Care groups attack £2bn cost to NHS of poor housing

By JEREMY LAURANCE, HEALTH SERVICES CORRESPONDENT

ILL-HEALTH caused by poor housing is costing the NHS £2 billion a year that could be better spent on providing more decent homes to rent, a group of health and social care organisations said yesterday.

Families who live in damp, cold houses suffer more respiratory illness, have higher blood pressure and more heart attacks than those who live in warm, dry homes. But it is simpler for them to obtain medical treatment than a new home, according to a damning report by the Standing Conference on Public Health.

The conference is an umbrella body for 18 organisations, including the Chartered Institute of Environmental Health, the Royal College of General Practitioners and the Association of Directors of Social Services. In its first report, called *Housing, Homelessness and Health*, the conference said one in 13 homes was not fit to

live in, amounting to 1.5 million in total, nearly half of which are owner-occupied. The worst dwellings are in the private rented sector, where one in five is unfit.

Evidence shows that fungus growing in damp homes causes allergies, respiratory illness and long-term malaise. Cold rooms can trigger asthma attacks or precipitate heart attacks or strokes. The pressures of living in overcrowded, uncomfortable homes also lead to increased prescribing of tranquillisers and antidepressants.

An unpublished study of 1,000 poor families, commissioned by the Environment Department, found that those living in substandard housing cost the NHS £300 a year more per person in consultations, drugs and other treatments than those living in decent housing.

Dr Sonja Hunt, chief author of the report, said health education campaigns would

have little impact without attention to where people lived. "No amount of jogging, low-fat yoghurt or nicotine substitutes will ever compensate for a housing policy that seriously undermines the health of the nation," she said.

The effect of bad housing on the development of children was "appalling" with more than a third suffering symptoms of sickness and tiredness. "The effects are long lasting. Children who are constantly sick turn into adults who are constantly ill."

Miriam Knight, executive director of the conference, accused the Government of wasting resources by failing to take an overview of its policies. "Decent housing is just as important to health as good medical care," she said.

The report calls for more investment in urban renewal, tighter controls on the private rented sector and new policies to make the 800,000 empty properties available for rent.



Sir Rex Hunt, governor of the Falkland Islands during the 1982 conflict, with his roomy transport, big enough to take a plumed hat

## Sea air claims taxi that survived invasion

By NICK NUTTALL

ONE of the great symbols of resistance during the Falklands War, the governor's London taxi, has reached the end of the road.

The cab, which has ferried Falkland Islands' governors to official engagements for a quarter of a century, is to be mothballed in the

local museum. Remembrance Sunday and possibly Battle Day in December will be last occasions David Tatham will appear in a chauffeur-driven cab, although the taxi's presence at even these two events is in doubt as army engineers believe it to be dangerous.

The maroon taxi was shipped to the Falklands because it had enough

head room for governors to wear their plumed hats and ceremonial sword. During the 1982 war it was garaged out of sight from the Argentinian forces. But while the cab survived Argentinian bullets it could not resist the salty air of the South Atlantic.

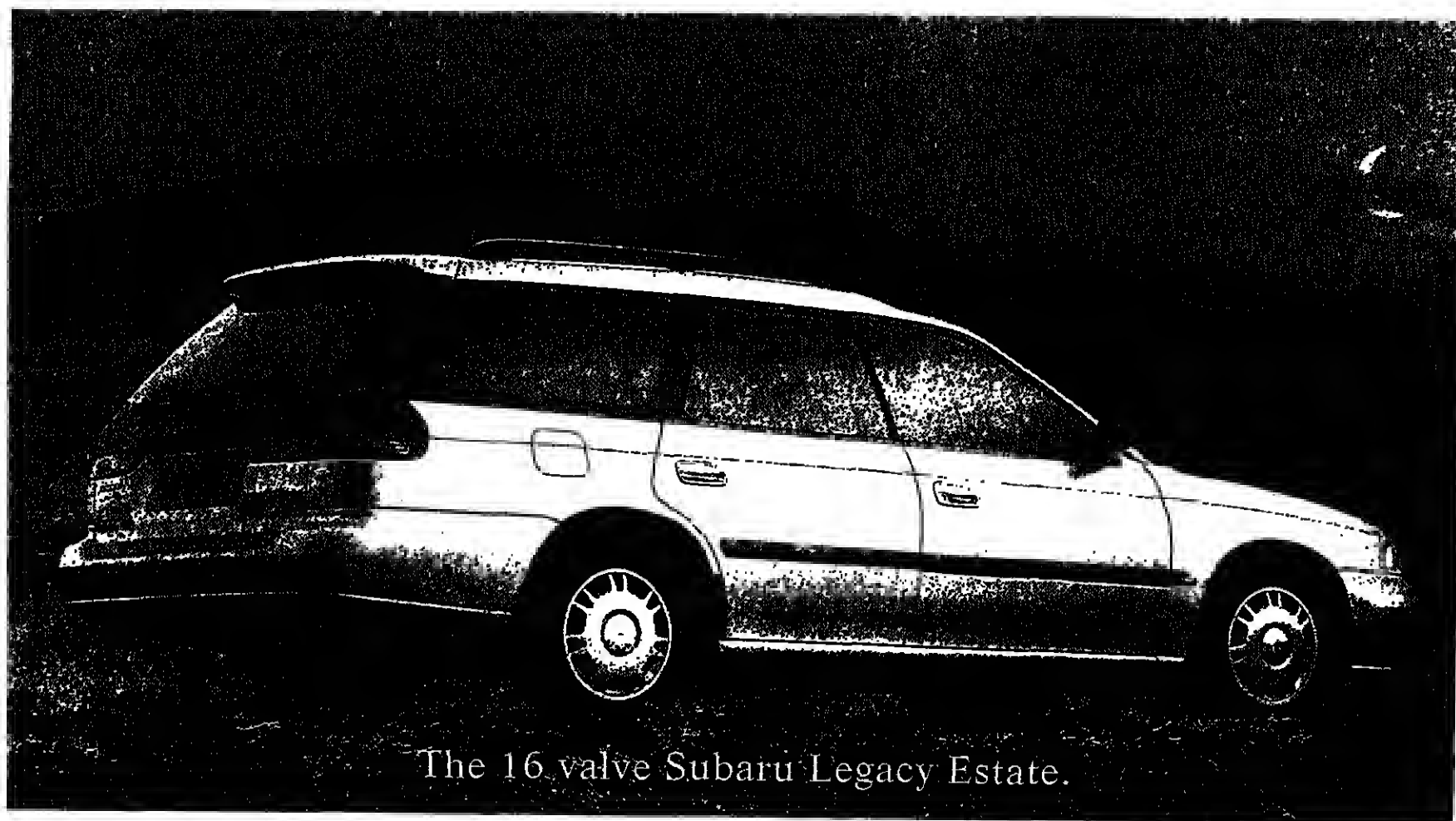
The list of new parts needed, which include a complete suspension, elec-

trical equipment and braking system, ran to two sides of A4, and would cost up to £9,000 in parts and labour. Scores of parts, including the paint, are no longer made.

Mr Tatham, who will now have to rely on a Range Rover, is planning to ask for a replacement second-hand taxi from Britain at a cost of £6,000.

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## Women prisoners and staff in fear of male intruders

By RICHARD FORD, HOME CORRESPONDENT

A PRISON'S women inmates live in fear of being assaulted at night by male intruders, according to a report published today. Night staff were said to be alarmed at the number of incidents involving intruders and frightened that they might have to confront potentially violent men.

The report by Judge Tumim, Chief Inspector of Prisons, also says that staff on duty at night in Drake Hall at Ecclestone, Staffordshire, should have more support from senior managers, including regular visits to reassure them. It warns: "In our opinion it could only be a question of time before either a member of staff or an inmate was put at risk by intruders." Judge Tumim says that staff at the prison had expressed concern at the apparent inability of the authorities to prevent intruders entering the jail, which contains 195 prisoners and 16 young offenders.

"Many inmates said that they were fearful at night due to the incidents of men entering living units unchallenged. They wanted to be able to lock their doors," the report says. "Staff who worked at night, most of whom were female, were concerned at being confronted by potentially violent men. They were frustrated and felt powerless."

Julie Marmont, branch secretary of the Prison Officers' Association, said that men had been found in prisoners'

rooms and in corridors at night. Most of them came into the prison to see their wives or girlfriends and knew where to go. Miss Marmont said: "It is still frightening for staff and inmates to find men in the jail at night."

During a short visit to the jail in May, an inspection team said that night staff had expressed concern at the number of incidents involving intruders, as had inmates who were unable to lock their doors at night. An inspector's source said it was impossible to say whether some of the

intruders were attempting to enter the jail to meet inmates or to bring in illicit goods such as alcohol and drugs. The report publishes extracts from a prison incident book showing some of the intrusions in 1993. They include four men seen running across the sports field towards living quarters; three men escorted from the prison buildings; and a man who had been seen driving slowly past the prison found to be in possession of heroin.

Judge Tumim says in the report that the position at Drake Hall is untenable and he urges the prison service to take more effective steps to reduce the vulnerability of staff and inmates. A spokeswoman for the prison service said that since the inspection a new anti-intruder fence had been put up at the jail.



Tumim: position at prison "untenable"

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## Rainstorms leave trail of havoc and death across swath of southern Europe

### Berlusconi jeered as Italy's flood toll mounts

FROM JOHN PHILLIPS IN ASTI

THE number of people killed in devastating rainstorms in northern Italy rose to 29 yesterday amid a mounting outcry over the speed of the response to the disaster.

As a huge rescue operation got under way, Silvio Berlusconi, touring Piedmont, rejected accusations that the authorities had been slow to react despite warnings of floods. Residents of Alba jeered the Prime Minister as he left the town hall after hearing bitter criticism from local councillors and businessmen over the speed of relief work.

Thousands have been made homeless, mainly in Piedmont, Liguria and Lombardy. Officials said the number of dead could reach 100 once the casualties are counted in isolated areas. About 20,000 rescue workers were deployed in Piedmont and Liguria. Berlusconi is to chair an emergency Cabinet meeting today to draw up special relief measures for the region.

Areas of southern France and northern Spain have also been damaged by the storms.

In Asti, 30 miles southeast of

Turin, residents worked into the night pumping water out of flats, shops and banks. "We have lost everything," said Maurizio Fiora in his water-logged window-frame-making business. "It has cost me at least 300 to 400 million lire (£120,000 to £160,000). The floods are an extraordinary event - not covered by my insurance. We received no warning and the water reached the first floor."

Officials at the Prefecture said that two people were killed in Asti when the cellar they were sleeping in was flooded and 600 people were evacuated from their homes to schools where the army was providing hot meals.

Hundreds of people were brought to Asti from the countryside after being plucked from the roofs of their homes by helicopters. Most problems were caused by the Tanaro and Bormio rivers bursting their banks. Officials denied reports that the flooding was exacerbated when gates of reservoir dams in Cuneo province were opened to prevent them bursting. Cellars containing stocks of



The Chaudanna dam is partly emptied into the Verdon river in southwest France after heavy rain filled the reservoir almost to danger point

Asti Spumante sparkling white wine were severely damaged. Traffic lights were out of action in the mud-strewn streets and most homes were without electricity, gas or telephones. Road and rail communications were disrupted throughout the northwest.

The other worst hit provinces were Cuneo, Alessandria, Turin and Verelli. The heavy rainfall stopped on Sunday

night, but meteorologists said it was likely to resume tomorrow.

In Galicia, northwest Spain, houses were flooded, a bridge collapsed and electricity cables were ripped down by high winds. Three people were rescued when their car was washed into a river and in Murcia several families were evacuated from houses in danger of collapsing. Villages

in Lérida in the northeast were cut off after flooding and landslides closed roads.

Three people have died and three are missing in southern France and Corsica. Nice airport, the country's second biggest, remained closed because of storm damage estimated at 35 million francs (£4.1 million). Cars in the underground car park were damaged beyond repair.



### Albanians put brake on Berisha

BY MISHA GLENNY

PRESIDENT Berisha of Albania appeared to be heading for a humiliating defeat yesterday as indications grew that the electorate had rejected his proposed new constitution by a substantial margin in Sunday's referendum.

He told journalists that "it seems that this option did not find the approval of the people". Before the poll, the President had predicted an easy passage for the constitution, designed to replace the Stalinist document of the late Enver Hoxha. The poll was marred by violent incidents; Mr Berisha's Democratic Party reported that one of its members had been shot dead in Vite, a hundred miles north of the capital, Tirana.

The vote on the constitution had been widely interpreted as a test of popularity for Mr Berisha and his Democratic Party government, which has been in power since 1992. The opposition Socialist Party had campaigned vigorously against the constitution, claiming that it would enhance presidential powers at the expense of parliament.

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## Muslim-Croat spearhead pierces Serb front

FROM ANTHONY LOYD IN KUPRES, BOSNIA

As the cloud lifted, the Croat army fought a new phase of war in central Bosnia. Only a moment earlier nothing could be seen beyond a few yards from the Kupres hilltop, so dense was the mist. As the grey shroud disappeared, so did the silence.

A crashing thump from a Bosnian Croat (HVO) howitzer position to the southeast, near the road to

Tomislavgrad, set the scene for the coming hour. A multi-barrel rocket launcher joined its fire, sending surface-to-surface missiles in red streaks across the sky. Bosnian Croat tanks, hidden among the shattered houses of a village below us, followed this example and were supported by Bosnian government army (BH) guns in the east.

Serb artillery started its retaliation. The occasional spout of black earth erupting near the Croat lines marked the incoming Serb shells. However, the Serbs appeared to be outgunned

Copenhagen: A Bosnian Muslim, 31, accused of torturing to death Muslim inmates while allegedly working as a guard in a Croat-run prison camp, went on trial in Copenhagen yesterday. (Reuters)

by a ratio of at least 20 to one, and their lines around Mrdenovici bore the brunt of what followed: their valleys to the north on the road to Donji Vakuf resounded with the crashing of hundreds of artillery

rounds. Only five days before, the ground on which we stood had been that of the self-styled Bosnian Serb Republic. Caught between the advances of a revived Croat-Muslim alliance, the Serbs had been forced to withdraw, losing Kupres, the first town to be taken from them in 31 months of war. General Mehmet Alagic, commander of the Bosnian 7th Corps, directing the Bosnian government operations, had been in optimistic form the night before at an impromptu press conference in nearby Bugojno. "The 7th Corps agree-

ment with the HVO will continue," he said. "We will fight together until the final actions. Together with the HVO, we are in a much better position to fight on."

So far the proof of his words seem evident and the Bosnian army, having pushed south to Kupres, has done a hairpin turn and is advancing north toward Donji Vakuf, less than ten miles from its spearhead troops. Larger and better defended than Kupres, the 7th Corps will indeed require the continued support of HVO guns and armour.

### Moscow march demands return of Soviet Union

FROM ANATOL LIEVEN IN MOSCOW

RUSSIAN diehard Communists yesterday commemorated the 77th anniversary of the Bolshevik Revolution of 1917 in what turned into the biggest demonstration so far this year against President Yeltsin's government.

About 15,000 people marched through Moscow with banners denouncing Mr Yeltsin and calling for the restoration of the Soviet Union. About 8,000 marched in St Petersburg. Speakers at the Moscow rally denounced Mr Yeltsin and his administration as "thieves", "drunkards" and "a pack of wolves".

In the old days of the Soviet Union, thousands of troops

tal, there were minor clashes as Communists celebrating the anniversary and nationalists denouncing it met at the same time and within yards of each other. They were kept apart by police.

The nationalists strongly criticised the recent legalisation of the Ukrainian Communist Party, recalled such Communist crimes as the artificial famine of 1933, and called for statues of Lenin in the city to be demolished. The Communists in turn attacked last month's liberalisation of prices by the reformist President Kuchma. This has led to another surge in inflation and a drop in the already desperately low living standards of ordinary Ukrainians.

Elsewhere in the former Soviet Union, preliminary results suggest that Irmatkali Rakhmonov, the Tajik leader, won the troubled Central Asian republic's presidential elections at the weekend. Representatives of Abdumalik Abduljanov, the former Prime Minister and his rival for power, alleged falsification of the results.

According to the central election commission, Mr Rakhmonov won 60 per cent of the vote to Mr Abduljanov's 35 per cent. Turnout exceeded 90 per cent. The speed with which the results were announced in a mountainous and disturbed region has led to some suspicions.

The result is unlikely to do anything to end Tajikistan's civil war. At a meeting last month in Islamabad, the Pakistani capital, Mr Rakhmonov's government and the Afghan-based armed opposition agreed to extend a ceasefire for another three months, but intermittent clashes continue. Bombs exploded in Dushanbe, the capital, at the weekend, injuring several people.

Russia, which strongly supports the present Tajik regime, has about 25,000 troops in the republic, mostly guarding the border with Afghanistan. Russia has strongly backed the weekend elections.



Rakhmonov: quick win arouses suspicions

and hundreds of thousands of people once marched past the Communist Party leadership atop Lenin's mausoleum in Red Square in the biggest national celebration of the year.

Yesterday the Communist demonstrators were banned from the square, meeting instead outside the former secret police headquarters in Lubyanka Square. In a pointed move, the city authorities allowed a group of Western clowns to give a performance in Red Square instead.

President Yeltsin did not recognise the anniversary at all, saying that he would be working as normal. However, it remains a public holiday.

In Kiev, the Ukrainian capi-

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### NEWS IN BRIEF

#### Mobutu's presence defended

Blair: Michel Roussin, the French Co-operation Minister, who is responsible for maintaining France's close ties with Africa, defended the presence of President Mobutu of Zaire at the 18th Franco-African summit which opened here yesterday, saying that Zaire had changed since France declared its President persona non grata in 1991.

The conference is being attended by President Mitterrand and the rulers of 36 African nations, mainly former French colonies. (AP)

#### Striker jailed

Medan: Muchtar Pakpahan, head of Indonesia's largest independent trade union, was jailed for three years for inciting a strike and protest which led to riots this year. (Reuters)

#### Court shooting

Ioannina: Constantinos Bitos, 42, burst into a courtroom in this Greek city and killed a prosecutor and a policeman. He seriously wounded three others before himself being shot and wounded. (Reuters)

#### Tax protest

Brussels: Hundreds of lorry drivers protesting against a new tax of up to £1,000 a year on vehicles of more than 12 tonnes jammed traffic in Brussels and disrupted most other Belgian cities. (Reuters)

#### Locked out

Paris: Riot police forced striking guards away from the gates of three jails in the Paris region. The strike, backing demands for a bigger prison budget, was meant to stop transfers of convicts. (AP)

#### Still talking

Algiers: Secret talks are continuing between the Algerian government and the banned Islamic Salvation Front, a newspaper with radical links said in the wake of government reports that they had broken down. (AP)

#### 'Warrior' theft

Peking: Han Guangyun, 22, a farmer who stole the head of a terracotta warrior in Xian, one of China's leading tourist attractions, has been jailed for life, the official Xinhua news agency reported. (Reuters)



## Western hostages 'clubbed to death' by Khmer Rouge

FROM REUTER IN PHNOM PENH

THREE Western hostages murdered by Khmer Rouge guerrillas were clubbed to death, a foreign source close to the investigation said yesterday. Until now they were believed to have been shot.

"They were bound. The three died from massive head injuries," said the source, who asked not to be identified.

Mark Slater, 28, from Corby, Northamptonshire, Jean-Michel Braquer, 27, from France, and David Wilson, 29, from Australia, were taken hostage on July 26 after a Khmer Rouge train ambush in southern Kampong province in which 13 people died.

The autopsy on Wilson's body was carried out by Stephen Cordner, a professor of the Institute of Forensic Pathology in Melbourne. It showed massive head injuries probably inflicted in late September.

Paul Keating, the Australian Prime Minister, said in

parliament in Canberra that he would raise the issue of Khmer Rouge sanctuaries in Thailand when he met Chuan Leekpai, the Prime Minister of Thailand, on the sidelines of the Asia Pacific Economic Co-operation (Apec) forum in Indonesia next week.

"The Khmer Rouge is getting support from external sources, some of them in Thailand, and without that support it would materially curtail their activities," Mr Keating said. He said that Australia was considering how to help the Cambodian armed forces.

The bodies of three ethnic Vietnamese and two Cambodians were also found at the same burial site of the three Westerners, the source said.

Their bodies were recovered last week from shallow graves close to the former Khmer Rouge command post of General Noun Paet. He eluded capture as government sol-

diers overran his camp at Vine Mountain in southern Kampong province.

The method of killing bore the hallmarks of a "killing field" murder — a blow from a hoe to the back of the head. The Khmer Rouge is held responsible for the deaths of one million Cambodians from murder, disease and starvation during their rule from 1975 to early 1979.

The guerrillas have said that the three Westerners were wounded by government artillery attacks and died after local people had tried to move them to another location, which was repeatedly shelled by the army.

Phnom Penh: Prince Norodom Ranariddh, Cambodia's First Prime Minister, yesterday called on Thailand to hand over the fugitive General Sin Song, who is wanted to serve a 20-year prison sentence for plotting the failed July coup. (AP)

CHEN Ka Wai, two, a patient at the Lady Pao Children's Cancer Centre in Hong Kong, meeting the Prince of Wales yesterday.

Earlier, the Prince had opened a world congress on cities in the colony by endorsing trams and bicycles. He told the Conference on Urban Growth and the Environment: "There is nothing to be envied in a quality of life where cars choke our streets and traffic fumes

### Prince champions gentler way of life

choke our lungs." The congress, a follow-up to the 1992 Earth Summit in Rio de Janeiro, is discussing how to make cities cleaner, safer and more productive. Rapid, unplanned urban growth means that "life in cities can

become more degrading than uplifting," the Prince said. "The streets are not paved with gold, but rather awash with rubbish and effluent."

Before the Prince arrived at the conference, in a concrete-and-glass centre near Hong Kong harbour, police carried off two demonstrators who wanted to hand him a petition calling for their wives to be allowed into the colony from China. (AP)

## Israel and Jordan lay plans for summit

FROM CHRISTOPHER WALKER IN JERUSALEM

YITZHAK Rabin, the Israeli Prime Minister, and King Hussein of Jordan will hold a symbolic summit meeting at a new border crossing, 12 miles south of the Sea of Galilee, boosting the embryonic bilateral peace.

The two men will exchange copies of their peace treaty at the reconstructed Shalikh Hussain Bridge on the old east-west trade route across the Jordan River on Thursday. The previous bridge was blown up in 1948 when the Jewish state was created and a 40-year state of war with Jordan began.

Newspapers in Amman reported yesterday that King Hussein might take his first public steps on Israeli soil in more than four decades after the symbolic summit. Israeli officials merely said that such a gesture was possible.

For weeks it has also been rumoured that the monarch, who traces his ancestry to the Prophet Muhammad, will use the occasion to pray in the Al-Aqsa mosque, Islam's third holiest shrine, in Israeli-occupied east Jerusalem. Again, Israeli sources would only say that such a visit was possible.

Islamic extremists, opposed to the treaty signed on October 26, have threatened King Hussein with the same fate that befell Abdullah, his grandfather. He was assassinated in Jerusalem in 1951, yards from where King Hussein, then a teenager, stood.

Officials have suggested that the new crossing might be given a symbolic name, perhaps "Peace Bridge" or "Green Valley Bridge". Under the terms of their rapprochement, Israel and Jordan have agreed to open northern and southern border crossings.

Despite opposition from Islamic parties, the Jordanian parliament ratified the treaty on Sunday by a vote of 55 to 23, with one abstention and one absentee, paving the way for full diplomatic relations. **Shrine reopens:** The Tomb of the Patriarchs, holy to both Jews and Arabs, reopened yesterday after the February killing of 30 Muslims worshippers by Baruch Goldstein, a Jewish settler. Tight security is now in place at the shrine in the Israeli-occupied West Bank city of Hebron.



Husain: may walk on Israeli soil

## Seoul lifts trade ban with North

FROM REUTER IN SEOUL

PRESIDENT Kim Young Sam said yesterday that South Korea would lift its ban on business contacts with the North and allow Pyongyang to establish economic links with the South and the rest of Asia.

In a landmark change of stance, President Kim said Seoul would take steps to promote economic co-operation across the Cold War border and with the rest of Asia. "I will take step-by-step measures aiming to promote South-North economic co-operation — including permission for our businessmen to visit the North," Mr Kim said in a televised address. In the most significant step towards détente since the North Korean leader Kim Il Sung died on July 8, the South Korean leader said Seoul would back any application by the North to join the Asia Pacific Economic Co-operation (Apec) forum.

North Korean membership would help Pyongyang, said to be on the brink of bankruptcy, to join the flourishing Pacific Basin's economic mainstream.

"I hope North Korea will actively take part in Apec and other regional and international groupings. I also make it clear we will actively support North Korea's membership of such groupings if it so wants," President Kim said.

Apec accounts for just over half of the world's economic output and 46 per cent of international exports.

## Sierra Leone frees British 'plotters'

BY MICHAEL BINYON, DIPLOMATIC EDITOR

Four Asian restaurant workers from Britain, arrested more than a year ago on charges of plotting to overthrow the military government of Captain Valentine Strasser in Sierra Leone, were unexpectedly released yesterday when their trial began in Freetown, the capital.

The four — Kelvin Shu Kee Law, who is Chinese, and Nhat Mui Ly and Bui Vinh, who are Vietnamese — hold British passports. They had been in prison since October last year.

Claude Campbell, the Attorney-General, asked the high court not to try the men. A British diplomat said they were to be deported on a flight to Amsterdam.

The end of the case leaves unanswered the question of why the men were accused of treason, a capital offence, or why they went to Sierra Leone. The three Vietnamese were former boat people. All were accused of trying to bring back Solomon Musa, the deposed Vice-President, who came to power with Captain Strasser in 1992 but fled to Britain last year.

The men claimed they were on a tiger hunt, but there are no tigers anywhere in Africa and no guns or ammunition were found.

The four have little experience of combat. Mr Bui Vinh, 32, known as Vinnie, was the manager of the China Court restaurant in Birmingham,

where his older brother worked as a chef. Mr Nhat was a cook in a Chinese takeaway in south London. Kelvin Shu Kee Law, who came from Hong Kong, ran a frozen seafood business.

They were nevertheless contacted by intermediaries from Sierra Leone and promised £100,000 each if they could raise a group of mercenaries, stage a coup.

According to Sierra Leone officials, the plan quickly degenerated into farce. The four did not know they needed visas, and so were prevented from boarding a plane from Heathrow to Freetown on October 7 and had to go to the Sierra Leone consulate. At Freetown airport they were robbed of about £100.

They were supposed to meet Captain Tarawallee, Captain Strasser's aide, at a bar, but did not recognise him and went to a hotel. He then contacted them, discussed the logistics of a coup over a meal, and left. Hours later they were arrested.

British officials have been pressing for proper charges for the past year, but there were no proper witnesses and no record of the alleged conversation with Captain Tarawallee.

The outcome of the excursion could have been serious. 26 alleged plotters were found guilty by a military tribunal and executed in December 1992.

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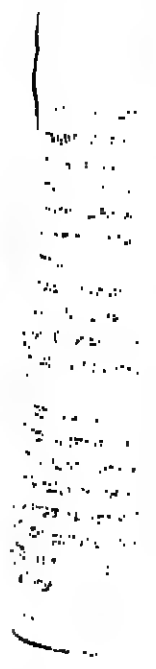


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Rival regimes planned as UN pulls out

## Factions head for new Somali war

BY SAM KILEY, AFRICA CORRESPONDENT

MOGADISHU'S main warlords are preparing to announce the formation of rival governments within days, moves likely to lead to renewed civil war as the United Nations scales down its military presence in Somalia.

Ali Mahdi Muhammad, the self-styled president of Somalia, who controls the north of the capital, and General Muhammad Farrah Aidid, who controls the rest of Mogadishu and much of the Somali interior, have renewed their long-standing rivalry which led in November 1992 to a famine that killed 350,000 people and reduced Mogadishu to a shell-shattered wasteland in five months of fighting.

Now, as the March 1995 deadline for the withdrawal of all armed UN soldiers approaches, and the 14,900 "blue helmets" are steadily reduced in number, a "peace conference" organised by General Aidid was described by Victor

Ghebo, the head of the UN in Somalia, as a "recipe for continued strife".

Last month, when the UN was under pressure from America to pull out of Somalia as soon as possible, Mr Ghebo was anxious to portray General Aidid's conference as a "significant step in the direction of government-forming". The sharp divisions between Mr Ali Mahdi and General Aidid, however, now point to a new conflict which may trap UN peacekeepers and civilian staff in the middle.

The deep tensions in Mogadishu surfaced in the past week after a carjacking attempt by a youth from the Aidid-allied Mursade went wrong. The assailant was killed trying to loot the car which belonged to members of Mr Ali Mahdi's Abgal clan. Heavy fighting provoked by the incident has left 37 dead around the Bermuda area.

In another incident last week, 91 Somalis laid off by

Brown and Root, UN civilian contractors, rioted in the UN headquarters compounds and had to be dispersed with teargas and rubber bullets. The Indian UN contingent based at Baldoa, 100 miles inland from Mogadishu, also reported renewed fighting in the agriculturally rich region, the centre of the 1992 famine.

The failure of the UN Operation in Somalia to bring the country's warring factions together has meant that Washington, which pays almost two-thirds of the \$2 billion (£1.25 billion) UN bill, has called for all troops to be out of the country within three months. The Security Council recently resolved to evacuate the remaining soldiers "as soon as possible".

More than 100 peacekeepers, including about 30 Americans, have been killed in Somalia over the past two years. Most of them died in abortive attempts to capture General Aidid.

## Appeals for crackdown on trade in mahogany

BY NICK NUTTALL, ENVIRONMENT CORRESPONDENT

TOUGH trade restrictions are being proposed for Brazilian mahogany, of which Britain is the biggest importer in Europe. The scheme, proposed by The Netherlands and believed to have wide international support, emerged yesterday at the opening of a meeting of the Convention on the International Trade in Endangered Species (Cites) in Florida.

Researchers claim that Brazilian mahogany, which sells for more than £12 a cubic ft and whose biggest exporters are Bolivia and Brazil, will be extinct in 15 years unless the trade is controlled. Between 1971 and 1991, 117.8 million cubic ft were exported to Europe. Britain takes 23.3 per cent of global exports and America 50 per cent.

The Netherlands wants the species to be put on Appendix II of the convention, which would force timber com-



Environmentalists fear for the survival of the hippopotamus, which poachers are hunting for its teeth

panies to obtain export licences. A spokesman for the World Wide Fund for Nature (WWF), which backs the proposals, said new research at Yale found that mahogany does not regenerate after being felled because its seedlings are overrun by commercially and ecologically less important trees. The proposal is likely to be opposed by

Brazil and other South American states where mahogany grows. The row could be the first of several at the Cites meeting, which runs for two weeks.

South Africa wants to resume selling elephant hides from culled animals to Texas makers of cowboy boots. But some environmental groups claim this will reopen poach-

ing and the trade in ivory. There are also proposals for tougher controls on the trade in hippopotamus teeth, which has increased markedly since the ban on elephant ivory in 1990. Lucy Farmer, of the WWF, said there were 160,000 hippos left in Africa. There are also calls for the protection of swifts, whose nests are used in soup, and

red and blue lorries, Indonesian birds which have been sold as pets. □ Delhi: Police in Srinagar, northern India, have seized a record haul of 1,366 rare animal skins worth more than £600,000, including a 14ft tiger pelt, the biggest ever found. (Reuters)

Leading article, page 19



Chissano: on track to win small majority

## Poll victory predicted for Frelimo

FROM MICHAEL HANLYN IN MAPUTO

AS THE first results of last month's Mozambique general election were published last night, unofficial forecasts put the ruling Frelimo ahead of Renamo, the former rebel guerrilla movement.

The projections suggest that President Chissano's party will have 130 seats in parliament, with Renamo winning 105.

By a strange quirk — illiterate Frelimo supporters are thought to have been confused by the ballot papers — a small Renamo-aligned coalition of other parties, the Democratic Union, is forecast to take 15 seats.

## Mandela warning on Right

FROM INIGO GILMORE IN JOHANNESBURG

PRESIDENT Mandela of South Africa, stunned by the assassination of a leading Afrikaner reformist theologian, gave a warning yesterday that right-wing extremists still posed a threat to the nation and the government would not treat them lightly.

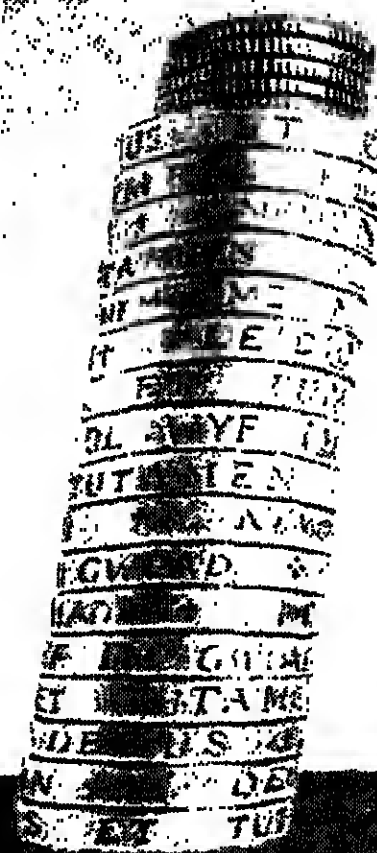
The President was reacting to the murder of Johan Heyns, 66, shot dead at his home in Pretoria on Saturday night. Professor Heyns, the former moderator of the Dutch Reformed Church, spearheaded its rejection of apartheid, causing a schism in the establishment. The neo-Nazi Afrikaner Resistance Movement (AWB) has condemned the murder.

The professor worked closely with Mr Mandela during the transition to democracy. The killing has come at a difficult time for the Mandela administration, which has been dogged by criticism about the pace of reforms.

The government suffered a further setback yesterday when Joe Modise, the Defence Minister, had to dismiss 2,221 former African National Congress guerrillas who failed to report for training to be integrated into the army. Their decision amounts to a snub for Mr Mandela.

Obituary, page 21

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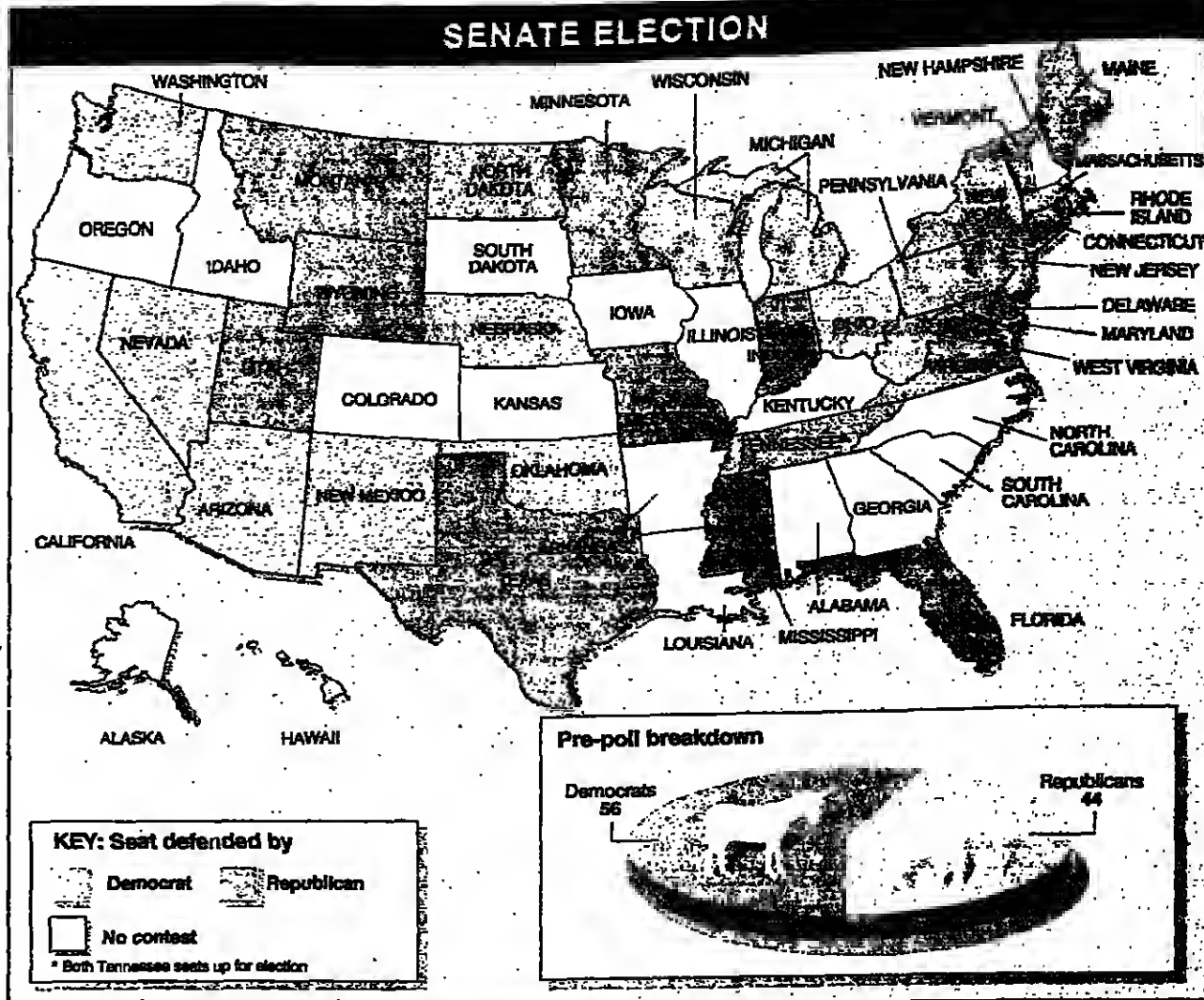
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## Ugly campaign leaves voters in mood to wreck Clinton agenda

FROM MARTIN FLETCHER IN WASHINGTON

THE third of the American electorate that can still muster the enthusiasm to vote will today elect a new Congress and 36 state Governors after what, by common consent, has been the ugliest, meanest and most irrational campaign in memory.

Though the economy is strong and the country at peace, the big question is whether the results will be an unmitigated or merely a mitigated disaster for President Clinton. Will the Republicans emerge with outright or merely effective control of Congress? Either way, the congressional "gridlock" of the past two years will shortly look like enthusiastic co-operation. Mr Clinton will find it all but impossible to pursue his agenda, and his 1996 re-election chances will suffer accordingly.

This was the campaign in which growing public disgust with Washington's political establishment finally achieved critical mass, leaving incumbents floundering in an Alice-in-Wonderland world where all the old rules of electioneering were turned upside down.

Total inexperience and utter contempt for the offices they were seeking became candidates' strongest selling points, with even the sons of former President Bush masquerading as political outsiders as they sought the Texas and Florida governorships.

A criminal conviction appeared the ultimate anti-establishment credential, years of public service the ultimate liability. Thus Marion Barry will regain the Washington Mayor's office he exchanged for a prison cell in 1990. Oliver North, Mr Iran-Contra, has a fighting chance of joining the Senate he made his name defying, while Tom Foley may end a distinguished 30-year career as the first House Speaker ejected by the people since 1860.

Challengers campaigned by denouncing incumbents as fat cats living opulently off that portion of the public purse not being wasted on a bloated, overbearing federal bureaucracy. Incumbents, not daring to run on their records, responded with a barrage of negative advertisements portraying their opponents as even less electable than themselves. Ultra-conservative

radio talkshow hosts fuelled a bilious atmosphere unrelieved by even a hint of humour, while the professional media manipulators tightened their pernicious grip on the electoral process.

They added "morphing" — a computer-aided technique enabling them to dissolve Democratic candidates' faces into Mr Clinton's — to their arsenal of visual deceptions, while Michael Huffington, a Republican seeking California's Senate seat, carried modern American campaign techniques to absurd new extremes.

He spent a record \$25 million (£15.6 million) on television commercials creating a character almost as fictitious as those in the ensuing soap operas. Only in the last days did the real man meet the public or the press, at which point his wholesome image shattered

hell. The Republicans may well gain the seven seats they need to take the Senate, and could possibly win the 40 more seats they need to control the House. If they fall short, and cannot induce any defections, they should still be able to wield effective control through alliances with conservative Democrats.

Even with majorities of 78 and six in the House and Senate respectively, Mr Clinton had enormous difficulty pushing legislation through Congress — in the case of healthcare he failed altogether — and it is hard to see what strategy he can now adopt.

His own party will be smaller and more liberal as moderate Democrats are fighting the most marginal seats. This means he will achieve nothing if he continues to pursue a left-of-centre agenda. If he moves to the right he will

can serve. Conservatives unquestionably now dominate the Republicans. One obvious example of the party's shifting centre of gravity is how far the Bush brothers have moved to the right of their father, embracing the anti-government, anti-welfare state, anti-tax creed of "Contract with America". Endorsements of Democratic candidates by a handful of Republicans were the last twitches of the party's nearly moribund moderate wing.

Replacing the moderate Bob Michel as Republican House leader will be the ferociously partisan Newt Gingrich backed by battalions of aggressive young acolytes, while Robert Dole, the Republicans' Senate leader, is shamelessly pandering to the right because he wants his party's presidential nomination.

If the Republicans win the Senate, they will do more than merely frustrate Mr Clinton's agenda. With Alfonse D'Amato as the new banking committee chairman, Whitewater subpoenas will fly thick and fast. Jesse Helms, a rightwinger, will cause nothing but trouble as chairman of the foreign affairs committee.

The only possible Democratic beneficiary will be Warren Christopher, who might survive as Secretary of State because a Republican Senate would savage any Clinton nominee to replace him.

The Republicans also hope by tonight to hold the governorships of at least six of America's nine largest states, giving their party's 1996 presidential nominee a big organisational advantage over Mr Clinton. It will horrify most Americans, but that presidential campaign quite literally starts now, with Arlen Specter, a senator in Pennsylvania, about to become the first Republican to announce his candidacy.

Mr Clinton's re-election should not be ruled out yet, however. President Truman, deeply unpopular, saw the Republicans snatch the House and the Senate in the 1946 midterm elections. After two years of Republican obstructionism, he squeaked back into the Oval Office by rallying against a "do-nothing, good-for-nothing Congress".

## Where key seats are at stake

In the Senate, Republicans need to win seven seats for control. Democrats are vulnerable in Arizona, California, Maine, Michigan, New Mexico, Ohio, Oklahoma, Pennsylvania, and Tennessee (two seats). The defeat of Edward Kennedy (Democrat), in Massachusetts, would be a big upset. In

the governorship races, Democrats are vulnerable in Florida, Georgia, Hawaii, Kansas, New Mexico, New York, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas and Wyoming. Republicans in Arizona, Iowa and Maine. Defeat for Pete Wilson in California would be a shock.

like a broken windscreen. Both parties raced to embrace the most draconian measures against crime and illegal immigration, but there were no real issues and no edifying public debate. Healthcare reform was barely mentioned.

The Democrats will be punished today because they have more incumbents and are the party in power. The Republicans will have done little to deserve their success, save cynically blocking most Democratic legislation and uniting behind a package of populist, anti-government and mutually contradictory gimmicks called "Contract with America". Mr Clinton renamed it "Contract on America", but he has little else to laugh about. From now on, governing the nation will be

not only risk his own party's support, but still probably be thwarted by a larger and markedly more conservative Republican Party. It will pay lip service to the idea of co-operation, but has no genuine interest in assisting him.

The Republicans have their own agenda, and it is largely incompatible with Mr Clinton's. They are inclined to dismantle, not reform, the welfare state. They want only minimal changes, not wholesale overhaul, of the healthcare system. They want a constitutional amendment requiring a balanced budget while simultaneously proposing deep new tax cuts and stronger defence. They promise to reduce the size of the federal government and limit how long congressmen



Clinton: timely move to withdraw forces

## Troops are recalled on eve of poll

BY IAN BRODIE

WITH deliberate election-eve timing, the Pentagon said yesterday that President Clinton has approved the return home of 13,500 US troops from Haiti and Kuwait.

The announcement was intended to remind voters casting ballots in tight races today of two foreign policy initiatives that were executed decisively by Mr Clinton, in contrast to his earlier string of overseas U-turns. In some polls, successes in North Korea, Haiti, Kuwait and the Middle East have boosted the President's approval rating on foreign affairs by up to 20 per cent.

In Kuwait, virtually all the 7,800 American ground troops will be home for Christmas. At their peak, US forces in the Gulf exceeded 29,000 in response to President Saddam Hussein's sudden massing of forces near the Kuwait border. As a safeguard, combat aircraft based in the area will be increased from 77 before the crisis to more than 120.

Some 6,000 American troops will be pulled out of Haiti this month, leaving 9,000, whose ranks will be reduced to 3,000 by April.

## Americans rule on death, sex and immigrants

FROM IAN BRODIE IN WASHINGTON

A RIGHT-TO-DIE law in Oregon, casino gambling in Florida, an abortion ban in Wyoming, and a veto on government services for illegal immigrants in California are among dozens of ballot options facing American voters in the mid-term elections today.

Polls show Oregon could become the first state to allow doctors legally to help patients to die. Earlier initiatives were lost in California and Washington State, but Oregon's has more safeguards.

Patients would need to state their wish to die three times, twice verbally and once in writing, followed by a 15-day waiting period. Two doctors would determine that a patient has no more than six months to live. After a further 48 hours, the patient could take a fatal dose supplied by a doctor. Lethal injections would be prohibited.

These precautions take the measure far beyond the uncoordinated efforts of Jack Kevorkian, Michigan's "suicide doctor", who has helped terminally ill patients to die through a variety of methods, including a tank of carbon monoxide.

The earlier initiatives and the Kevorkian controversy indicate a growing desire in America for some legal form of death by consent to avoid undue suffering. There is still strong opposition from religious groups, led by the Roman Catholic Church. The Oregon Catholic Conference argues that the death-with-dignity initiative is riddled with ambiguities and amounts to "murder in the name of mercy". As one example, it says, the proposal is unclear about the doctor's role if a

patient is too ill to take the lethal potion. Does the doctor administer it, or a relative?

At the very least, the Catholics say, the measure should be removed from the ballot to allow debate in committees and on the floor of the state legislature so that the intent can be made explicit.

Florida polls show that 57 per cent of voters oppose the introduction of casino gambling, an initiative that has failed twice before. Proponents contend that, with its dependence on tourism, Florida cannot afford to be left behind 24 other states with casinos. Yet Disney World and small businesses are opposed, fearing the competition from casinos. Seven other states will vote on allowing or expanding gambling.

Wyoming's anti-abortion referendum has 14-year sentences for doctors who perform them. The procedure would be outlawed entirely unless the mother's life were endangered or in cases of rape or incest. It is unclear how the measure will fare in a state that is strongly conservative but resents government interference in personal matters.

California's attempt to withdraw schooling, welfare and health services from illegal immigrants has become a political flashpoint. A less publicised idea on the same ballot is for a state-run health service dependent on taxes that would virtually wipe out private insurance. Under fierce attack by insurance companies, the proposal is languishing in the polls.

Among other initiatives are a ban on same-sex marriages in Idaho and a requirement for voter approval of all tax increases in Montana.

"I want my healthcare specialist on call 24 hours a day."



America's leading political families strive for share of national and state spoils

## Californians do battle over law to tackle aliens

FROM TOM RHODES IN SAN FRANCISCO

THERE was a moment last week when the true colours of California were brought into sharp focus outside Del Webb's Sun City, a distinctly sanitised retirement complex in Palm Desert.

Inside the clubhouse, overlooking manicured fairways and putting greens, an assembly of senior citizens chanted adoringly at Pete Wilson, the Republican Governor, who hopes his four years at the State House will be extended to another term in elections today.

In the desert scrubland outside the gates, shielded by a phalanx of more than 100 state troopers in full riot gear, hundreds of Mexicans had a different message for Mr Wilson, the man who is spearheading Proposition 187, a piece of legislation that would deny public services to illegal immigrants in California. "Race yes, Wilson no," they yelled in Spanish as a black coffin bearing the Governor's name was marched down the street.

As America's most populous state entered the final day of the campaign to elect or re-elect a senator, a Governor, and a host of lesser officers yesterday, the controversial proposition appeared to have become both a symbol of the strikingly polarised and disaffected electorate and a mirror of the entire political process in the United States. President Clinton, the chairman of both political parties and, indeed, almost anyone who was granted some airborne had something to say about illegal immigration.

In a state known as the bedrock of American politics, capable of producing both a Jerry Brown and a Ronald Reagan, Proposition 187 has offered the only visible issue in the Californian polls and yet one which, if it gains a majority today, is most likely to result in a prolonged battle through the nation's courts. Democrats argue that the proposal is the embodiment of a reactionary, protectionist

America, while Republicans believe that the plan represents an increasing backlash against the creeping liberalism espoused by Mr Clinton's rule in Washington.

From pulpits to radio talkshows, Californians have been undergoing a form of psychoanalysis to discover whether the legislation will alter drastically the character of their state and the effect that it could have on the rest of the Union. Students and other opponents have taken to the streets in tens of thousands

### President's low marks

Washington: Americans living abroad say that President Clinton deserves only a mediocre "C-minus" for his overall job performance to date, according to a survey by the international edition of *USA Today*.

Of the 821 readers who returned a survey form published in September, 15 per cent gave Mr Clinton an "F" on his overall performance, 25 per cent a "D" and 32 per cent a "C". Only 4 per cent gave him an "A", while 20 per cent said he deserved a "B". The President was awarded a "D" for his performance on foreign policy and a "C" on domestic issues. *USA Today* conceded that the results of the survey were unscientific. (Reuters)

while its proponents have been forced to defend themselves against charges of racism.

"We really don't need people from outside California to tell us how we should vote on 187," said Mr Wilson. "We are all immigrants, but we are also a nation of laws and we should reward those who play by the rules."

Kathleen Brown, his opponent, who was yesterday nine points behind in the opinion

polls, had completely changed the focus of her campaign in the final two weeks to reflect her belief that the initiative would be defeated and Mr Wilson would go down with it.

In the high-profile Senate race in the state, Dianne Feinstein, the Democratic incumbent, and Michael Huffington, the Republican challenger, are neck and neck. Their contest has been reduced to a televised cabaret, the most expensive in political history, to determine which of the two has shown more hypocrisy in their employment of illegal aliens.

Everyday carnage in south central Los Angeles, the post-Cold War dent to the defence industry in California, recession, earthquakes, fires and riots have all been superseded by the sudden appearance of Annabella, a former servant employed at the Feinstein residence, and Marisela, who was a nanny in the Huffington household.

"If two humble domestics can seize control of a Senate campaign and if such a tiny fraction of the populace can turn Californians passionately against one another, who am I to question the importance of these people?" wrote Peter King in the *Los Angeles Times*. "They are a powerful force capable of making the greatest state in the Union go crazy, bananas, cuckoo, nuts."

The cost of both campaigns on the effective promotion of a single initiative has achieved new heights in election spending, even by Californian standards. "Before the amount spent in the last two weeks was even counted, the gubernatorial race had cost \$47.5 million (\$29.7 million), while the joint Senate bid is likely to cost as much as \$40 million — more than \$27 million from the private fortune of Mr Huffington."

That amounts to \$87 for each of the estimated one million illegal immigrants working in the state, money that many voters feel could have been better spent in other areas.



Edward Kennedy, the veteran Democrat senator, addressing supporters and campaign workers at an election rally in Weymouth, Massachusetts. He is facing a strong Republican challenge from Mitt Romney

## Name-droppers battle it out for rich rewards of dynastic power

FROM BEN MACINTYRE IN HOUSTON

WHAT'S in a name? Or, more precisely, how many votes? It is ironic that in an election year when any link with the political establishment has become the mark of Cain, record numbers of candidates have taken to the field boasting famous surnames and, in some cases, little else.

At opposite ends of the country and the political spectrum, the Bush family and the Kennedy clan represent rival dynasties, but they are not alone in hoping to parlay name recognition into political office.

In Florida, Hugh Rodham, brother of Hillary Rodham Clinton, the First Lady, is attempting to unseat Connie Mack, the Republican senator in California. Kathleen Brown hopes to follow in the footsteps of her father and brother as Governor in Massachusetts. Mark Roosevelt, a great-grandson of Teddy Roosevelt, is also running for Governor.

No fewer than five members of the Kennedy family are competing in today's mid-term elections. Each is a Democrat, each appears likely to win, but the balled Kennedy name is no longer the automatic passport to office it once was.

After 32 years in the Senate, Edward Kennedy, 62, now seems likely to stave off the strong challenge from Mitt Romney (another scion of a political family whose father George, the former Governor of Michigan, ran for President in 1968, but it has been a bruising battle and Kennedy



Family concern: Jeb Bush, left, and George W. Bush

watchers say the trauma of near-defeat will almost certainly make this the last election for the last surviving Kennedy brother.

The senator's son, Patrick, 27, running for Congress in neighbouring Rhode Island, is also ahead in the polls against Republican Kevin Vigilante, despite attacks recalling his treatment for cocaine addiction in the 1980s. "Has my family name helped me?", says the Kennedy poised to become the youngest member of Congress. "Of course."

On other limbs of the family tree, Massachusetts congressman Joseph Kennedy II is standing unopposed, Kathleen Kennedy Townsend, eldest child of Robert and Ethel Kennedy, is running for lieutenant-governor of Maryland, the state where Mark Kennedy Shriver, 30-year-old son of Eunice Kennedy Shriver, is expected to win a seat in the House of Delegates.

But a famous surname can

be a burden as well as a blessing, and nowhere is this more apparent than in Florida and Texas, where Jeb and George W. Bush, sons of former President Bush, are locked in close contests for the governorships.

On almost identical conservative platforms, the Bush brothers are running neck and neck against strong Democratic incumbents and both candidates have sought to make use of their father's reputation without appearing to ride on his somewhat tattered coat-tails.

In his only television interview in support of his progeny, the former President painted a Kennedyesque picture of Bush family life. "We'd have contests for everything," he said.

Including, it seems, campaign rhetoric. "I am running for Governor not because I am George and Barbara's son," said Jeb, 41, announcing his candidacy. "I am running because I am George P. Noelle and Jeb's father." That

line was appropriated by older brother George W., 48, to the evident annoyance of the Florida candidate for Governor. George and Barbara Bush have campaigned prominently in Florida, but less so in Texas where the "father-thing" is a touchier subject. "Jeb's taking a more active role with mother and dad," George W. noted slyly of his younger brother's campaign.

In Texas, where the race is down to the wire, Ann Richards, the tough-talking Governor, refers contemptuously to the Bush brothers as "shrubs" while painting her opponent as a spoilt brat.

But there is vengeance in the air in Texas, and George W. is out to make amends for the defeat of George the elder. "Bill Clinton drove the agenda against my father," the candidate told *The New York Times* on his final campaign swing. "I wasn't going to let it happen to me this year."

The candidates least likely to win today are inevitably trumpeting their family connections loudest. Mark Roosevelt's campaign to oust William Weld, the popular Massachusetts Governor, boasts of a "family tradition of commitment", while Teddy and Franklin Delano Roosevelt (a distant fifth cousin) have featured in his television commercials.

Last month Mrs Clinton took to the stump energetically on behalf of her brother. But even with the aid of his sister and a brother-in-law in the White House, Mr Rodham appears doomed. In politics, values are relative and so is the value of relatives.

### NEWS IN BRIEF

## Russian nationalist begins visit

New York: Vladimir Zhirinovskiy, the Russian ultra-nationalist, has arrived in the United States at the start of a controversial visit to the country he once called "the empire of evil" (James Bone writes).

Mr Zhirinovskiy will have plenty of opportunity to cause trouble in his characteristic way during a whirlwind tour of San Francisco, Miami, Washington and New York. Jewish groups concerned about his anti-Semitism were already preparing yesterday to picket his first speaking engagement in San Francisco — a speech on "Creating a New Russia".

Invited by a non-partisan foreign policy group called the World Affairs Council, Mr Zhirinovskiy was granted an American tourist visa despite the fact that he has already this year been barred by France, Germany, Switzerland, Slovenia, Norway, Spain and expelled by Bulgaria.

The State Department apparently calculated that it would be better to grant him entry than to turn him into a martyr in his homeland, and insists that the visa does not imply any official endorsement of his political views. "The United States government finds his views anathema," a State Department spokesman said.

The World Affairs Council said that protests had started pouring in to its office as soon as Mr Zhirinovskiy's visit was announced. The 600 tickets for his speech were sold out within 12 hours.

## New find in Aids battle

Philadelphia: In a discovery that opens a new line of research for drugs to fight Aids, scientists reported finding a gene governing reproduction of the HIV virus that causes the disease.

Writing in the current Proceedings of the National Academy of Sciences, University of Pennsylvania scientists said the gene makes a protein that triggers reproduction of HIV, which can lie dormant in the body for years. Antibodies to the protein were able to neutralise it in the laboratory, suggesting medicines could be developed that will do the same. (Reuters)

## Lynch law memorial

Milwaukee: James Cameron, 80, who survived an attempt by a mob to lynch him 64 years ago, has documented his story and that of other lynchings for what he has called America's Black Holocaust Museum, a collection which is to open tomorrow in a dilapidated former boxing club here.

Ropes from a Ku Klux Klan robe, a ceremonial KKK rifle that spits fire from its barrel instead of bullets, letters describing lynchings, and black and white photographs of black men twisting from ropes are among the exhibits. One picture shows the lynching Mr Cameron survived. (AP)



Oliver North, right, the Republican Senate candidate for Virginia, and his wife Betsy with Robert Dole, the Senate minority leader, at a rally in Arlington

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# The battle for Ludwig's legacy

Decades after Wittgenstein's death, a strange saga of academic rivalry is being played to the finish

Who was Ludwig Wittgenstein? To many, he was just another unreadable Austrian genius: to others he was the celebrated professor of philosophy at Trinity College, Cambridge, whose students included Iris Murdoch and whose rarefied message seemed to be that philosophy was a matter of clarifying linguistic confusion: "Whereof one cannot speak, thereof one must be silent."

But to a coterie of ardent admirers, he was a man of enormous and potent wisdom whose written legacy exerts a fascination so mesmerising that they are prepared to dedicate their entire lives to the study and dissemination of his work.

This is just as well, given that 43 years after his death still only a tiny proportion of his writings has been published. But the scholars of Wittgenstein are an unusually argumentative bunch. For 30 years they have squabbled over the rights to publish his works, and now two rival teams are engaged in a race to the finish.

The Trinity College, Cambridge team, which calls itself the Wittgenstein Archives, is led by a German scholar called Michael Nedo. His challenger, also running under the banner of the Wittgenstein Archives, is a Norwegian team operating out of Bergen University.

Both claim an utter indifference to each other's progress. The fact that the last big Anglo-Norwegian race ended in undisputed victory for Norway (Rolf Amundsen versus Scott, South Pole, 1911) appears to have had no detrimental effect on Nedo's scholarly calm and icy determination.

"I don't really want to know too much about the story of the Norwegian project," he says. "In spite of all the rivalry and the disputes, I am astonished at the enthusiasm that still burns in me. I could have had certain advantages pursuing another career. I could have had an easier life, but I feel

simply more alive working with Wittgenstein's writings. Nedo's life would undoubtedly have been easier had he stuck to his chosen vocation, mathematics. Instead, five mornings a week he gets up to confront 30,000 pages of Wittgenstein's manuscripts, handwritten in barely legible German, in business ledgers, and annotated with such a spider's web of optional extra notes, dense cross-references, revisions and coded messages that it might take a brain twice the size of Wittgenstein's to decipher them.

There are some autobiographical notes that he has dotted around in code," says Nedo. "They are his reflections of his own work as if seen from a distance. Other bits of writing are in typed form and he has cut these up and pasted portions into the ledgers and made new combinations and revisions of his thoughts. The ideas jump about all over the place, so each text needs to be published in about three different versions in order to get each different interpretation."

Nedo first got involved as a young maths scholar at Tübingen University when he skimmed through Bertrand Russell's *Why I Am Not A Christian*. "It was a lousy book, just like wading through mud. But in the mud, sparkling like gems, were a few quotations from Wittgenstein. That was when I started reading Wittgenstein and he has never let me go since."

Wittgenstein exerts a strange fascination on all sorts of people and has inspired thinkers from Russell to John Maynard Keynes. He was born in 1889, the youngest of 11 children of a wealthy Austro-Hungarian industrialist and brother of the one-armed pianist for whom Ravel wrote his Concerto for The Left Hand. He studied aeronautical engineering in Manchester, where he invented a new aeroplane engine, and then moved to Cambridge to study philosophy under Russell. Believing the intellectual



Ludwig Wittgenstein: aeronautical engineer, hermit, gardener, architect, sculptor, photographer and philosopher

atmosphere there to be superficial, however, he retreated to Norway and lived as a hermit with his thoughts until embarking on a series of new vocations — teacher, gardener, architect, sculptor and photographer — conquering each discipline with ease before returning to philosophy at Cambridge.

"He became the father of the analytical school of philosophy — of mathematics, of language and of the mind. He has had as much of an impact on artists this century as he has on philosophers. But in the end he was absolutely uncompromising about his final chosen vocation."

Like the master, so too the servant. Nedo, once gripped, quickly abandoned his maths and "slithered involuntarily" into the role of leading a team

transcribing the texts at Tübingen in the early 1970s. There then followed a complex saga of false starts and trustee disagreements over whether he should be granted permission to transcribe the manuscripts and publish them. He was finally given the go-ahead in 1974.

For the next five years he worked away, completing 15,000 pages and planning an editorial structure for the total body of work, only to be told that the rights to publish had been signed over to a Norwegian team. "I was naive and had not tied up my contract with fallsafe legal protections," he says. His work, he adds, was handed straight to the opposition at Bergen.

Did he feel embittered or was he simply murderous? "Luckily I was freed from any bitterness by reading Goethe. It was like a medicine... but I have to admit that the whole episode was quite painful."

Undeterred, Nedo started all over again in 1980, funded now by the Austrian government, and working from an office in Cambridge designed by Colin St John Wilson, architect of the new British

Library and himself a Wittgenstein admirer. He and his small team have input 20,000 pages onto the computer, have published the first two volumes and an introduction and will have the next three ready by the end of the year. At a publication rate of five text volumes a year, he expects to be shot of the whole thing — between 50 and 70 volumes — by around 2005.

Meanwhile the Norwegian team, funded by Bergen University, appears to be forging ahead with support from the trustees and Oxford University Press, and aims to publish the entire works on CD-Rom, including the coded passages. Publication is scheduled for autumn next year.

Whether winner or loser, Nedo is irredeemably involved in a lifelong mission. There is no doubt that his labours will further scholarly studies into the wisdom and enlightenment of Wittgenstein. Whether it will bring the great man's ideas closer to a salient message for the rest of us is still open to question.

## Why we still need saints

Tonight's attack on Mother Teresa is absurd, argues Piers Paul Read

One of the measures of true holiness is the extent to which it provokes the outrage of the unholy. Tonight, on Channel 4, the charitable work of Mother Teresa of Calcutta will be denigrated by the expatriate English journalist, Christopher Hitchens. Hitchens has made his name in America by his fearless attacks on the rich and powerful, and his righteous indignation at the plight of the poor and the oppressed. It will therefore seem incongruous that he should attack the diminutive old nun from Albania, whom he describes as "a demagogue, an obscurantist and a servant of earthly powers".

Some of his charges are simply silly, but are understandable in the context of his own political approach. He makes much of Mother Teresa's acceptance of the Légion d'Honneur from the Haitian government under the younger Duvalier, and of the flowers she laid on the grave of

Many will have more sympathy with Hitchens's reservations about turning charitable work into a media event. There is no evidence that Mother Teresa sought such publicity, or that the many years in which she worked in obscurity, caring for the destitute and abandoned in the poorest areas of Calcutta, was done with the long-term ambition of making herself a media star. It is more probable that she has permitted herself to be the subject of press reports and documentary films to raise funds.

Hitchens shows the blindness of the secular altruist to the motivation of a woman like Mother Teresa. Those with a burning zeal to change the world are often expressing some unrecognised compulsion to remedy an imagined injustice done to oneself. Rousseau, Robespierre, Marx and



Mother Teresa: sanctity under fire

Enver Hoxha, the communist dictator of her native Albania. This is because Hitchens belongs to a generation where the symbolic gesture was the chief means of serving the cause — refusing South African grapes, Jaffa oranges or Chilean wine while expostulating against oppression in the salons of London and New York.

To Mother Teresa, the gestures Hitchens condemns may have been a price worth paying to be allowed to work among the destitute in the countries concerned. She also works on the assumption that even Duvalier and Hoxha are loved by God. But this kind of all-embracing compassion is an affront to the neo-Hegelians of the Left, who believe that progress comes only from confrontation and revolution.

Hitchens's heroes are the Nicaraguan Sandinistas. He lambasts Mother Teresa for supporting Pope John Paul II, who has condemned liberation theology. To Hitchens, palliative measures like those taken by Mother Teresa are sticking plasters applied to the lacerated arteries of the world. They serve merely to cover the putrefaction. Ironically, several Christian charities share his point of view. This presupposes a touching faith, despite evidence to the contrary, that we can solve the world's problems by applying Marxist solutions for political change.

Lenin all had an axe to grind. In Britain the most ardent revolutionaries come from the minor public schools.

The motivation of Mother Teresa is altogether different, and it is incomprehensible unless you take into account her belief that Jesus was God made man. Virtue lies not in benevolence but in obedience to the will of Christ. "All we do — our prayer, our work, our suffering — is for Jesus. Our life has no other reason or motivation. This is a point many people do not understand."

Once, when Mother Teresa was asked by a reporter whether her good work would make her a saint, she replied that it was open to anyone to be holy, even a journalist. This is something, I suspect, that Christopher Hitchens and Tariq Ali, his producer, have yet to understand.

Piers Paul Read's books include *Alive and Quot Vadis?* the subversion of the Catholic Church. Hell's Angel: Mother Teresa is on Channel 4 at 9pm tonight.

The latest Mellor drama shows the MP to be either too helpful or naive

## Put a sock in it, Mr Mellor

DAVID MELLOR's smile is an all-weather piece of apparatus which badly needs a restraining order placed upon it. Ditto the Mellor voice, entertainingly employed on his Saturday evening Radio 5 programme about football but surely better left locked in its larynx when the *News of the World* comes calling.

There are only two words public figures need to speak when the tabloids start trawling in their private lives. One is No and the other is Comment. David Mellor is either a nice man who tries to be helpful or a foolhardy and naïve one who cannot resist an invitation to open his mouth. Perhaps he is both.

Certainly Mellor's performance on the Radio 4 *Today* programme yesterday morning veered between the sad and the comic. But let us first clear up the matter of the public interest. There is none, or rather, there was none. Mellor's split from his wife, Judith, is a private matter, as is his taking up with Viscountess Cobham. Mellor is no longer a minister, though there is a marginal public interest argument in that he remains MP for Putney, representing a party which famously advocates family values.

The arrival of this latest Mellor drama was precipitated not by the *News of the World*, whose story would have been a one-day wonder had Mellor maintained a



Mellor: cannot resist an invitation to open his mouth

dignified silence, but by the MP's attempt at a pre-emptive strike. He seems to have concluded that the way to fight a fire was to pump oxygen into it.

Therefore Mellor put the story into the public domain on Saturday, going so far as to tell the full story exclusively to *The Mail on Sunday*. He repeated the error on Sunday itself by inviting the press to take pictures of himself and his wife.

This led to the extraordinary telephone interview with Sue MacGregor, the *Today* presenter, in which Mellor ("my wife is standing beside me") neatly demonstrated why he needs lessons from his

colleague Alan Clark, the Tory ex-minister, a master of saying nothing about his private life until the time comes to publicise a book.

Mellor spent some time during the MacGregor interview attempting to explain why some newspapers were so awful. Eventually he succeeded, but not convincingly. Yesterday's *Daily Mirror* had shown a picture of him grinning with a caption that said: "what's the big deal?" Mellor explained that as Sunday's picture session went on and on, he asked the photographers why they wanted so many pictures and had said: "what's the big deal?"

He meant the photo ses-

sion; the captions gave the impression he was belittling the breakdown of his marriage. These subtleties are lost in the circus atmosphere of such a story. Mellor, who has considerable media experience, should have known better.

THERE followed a bizarre exchange on GMTV, the ITV breakfast television show, during another joint production involving the Mellor phone. Mrs Mellor asked the presenter: "Would you like to have him back?" (on the phone) which the presenter turned round: "Would you like to have him back?" Mrs Mellor laughed and said: "I have him back."

This knockabout may demonstrate that the Mellors are having a civilised separation, but it also suggests a certain brave-front flippancy which does not sit too well with complaints about the tabloid press and intrusion.

Mellor, by common consent, had the intellect and the personality to make a stunning success of the department of national heritage. He was brought down by a fling with Antonia de Sanctis and a holiday arranged by Mona Bauwens, daughter of a prominent Palestinian. Now he is put at an even greater distance from political power by his propensity for letting the media dictate his agenda.

PETER BARNARD

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How long has Ronald Reagan had Alzheimer's disease? Dr Thomas Stuttaford outlines the deterioration of a typical sufferer

## Decline of a great communicator

THE TELEVISION news films of Ronald Reagan chronicled the advance of Alzheimer's disease during his later years as President. But almost ten years ago an astute psychologist analysed Mr Reagan's television performance. He demonstrated that the time the President took to answer questions was increasing, the smile of recognition was slower, there was less flexibility of thought and that his vocabulary was shrinking. Later, by the time he had called Mr Kimock by another Labour leader's name, and had welcomed the Princess of Wales as Princess David at a formal dinner, it was not necessary to be a psychologist to notice that all was not well.

More recently, Mr Reagan has seemed

to stumble over his words and forget what he is talking about, even after he had started a sentence. At one reception he could be seen, apparently lost and confused on the platform, being reassured as he was guided off the podium.

Alzheimer's disease is only one, albeit the most common, of many different types of dementia. Treatment is in its infancy, although dementia from other causes can sometimes be treated. In the multi-infarct syndrome, where a patient suffers a series of small silent strokes which progressively destroy the brain,

the process can sometimes be arrested if the underlying cause of it, such as a raised blood pressure or some forms of heart irregularity, is treated.

The first symptom of Alzheimer's is usually memory loss in general, and in particular an inability to recall names and precise words. It is important, however, that patients should not assume that they are necessarily going to develop Alzheimer's later just because they have some memory loss. In

Alzheimer's there is a progressive fragmentation of the personality. The short-term memory is initially most affected. Two old men chatting together may remember every incident from their university days but forget what they had for breakfast.

Coupled with short-term memory loss is an inability to grasp new intellectual concepts or learn new skills. Later long-term memory goes as well, old friends are forgotten and even

are often exaggerated: the decent become excessively kind and generous whereas the difficult person becomes downright impossible. Later as their personality deteriorates patients become emotionally detached and indifferent to their personal appearance, lose their inhibitions and may need institutional care. With the loss of reason goes the loss of basic skills such as dressing, feeding, walking and clear speech.

There are over 600,000 sufferers of Alzheimer's in Britain. It does not usually strike before the patient is 60 and it becomes increasingly common as age advances. But it can attack younger age groups and there are probably about 20,000 people in Britain with pre-senile Alzheimer's.

## 'Surgeons practise on grapes, chicken and peanuts'

Spitting Image technology is being used to train much-needed keyhole surgeons. Jeremy Laurance reports

Peeling grapes, a familiar skill in seduction, is an indispensable one in surgery. But while Lotharios do it with their teeth, surgeons must learn to separate delicate skin from plump flesh using foot-long chopsticks manipulated with the aid of a TV monitor.

The new technique of keyhole surgery demands special skills from surgeons, but until recently the only way they could acquire them was by practising on patients. Now the Royal College of Surgeons is imparting the new skills by teaching fresh-faced junior doctors how to pick up peanuts, peel grapes and slice pieces of chicken — inside an artificial abdomen.

Using technology developed by Luck and Flaw, puppet-makers to the satirical TV series *Spitting Image*, the fledgeling surgeons insert their instruments through pink latex tummies, and retrieve peanuts resembling gallstones and grapes like ovaries from among the rubber internal organs. Using electrically-heated cutters,

they tear through pieces of chicken until the mock-up operating theatre smells like a high-street takeaway.

Estimates suggest that within a decade between four and seven out of every ten operations will be performed using keyhole techniques. Demand is outstripping the supply of competent surgeons able to perform the surgery. Patients, impressed by the tiny scars, reduced pain and speedy recovery promised by the technique, are clamouring for it.

Most of the surgeons providing their services voluntarily as trainers at the college are enthusiasts for the technique. Jeremy Tate, a surgeon at the Royal United Hospital in Bath, describes a woman who was operated on for gallstones but was extremely anxious about complications. Two weeks later she returned for a check-up, having driven her daughter back to university in Edinburgh. "She felt so well she was able to undertake the journey. She was hugely impressed that it hurt so much less than she expected. You do get this thrill over and over

again that the patients feel so well."

Others take a more sombre view. "I am probably the person most against keyhole surgery in the room because I have seen horrendous things go wrong," said David Scott Coombes, a surgeon from Ealing Hospital. He volunteered as a trainer because he saw an urgent need to raise standards.

The dangers of the technique were spelt out in a Health Department report earlier this year by Professor Alfred Cuschieri, a pioneer of keyhole surgery at Ninewells

Hospital, Dundee, which claimed that patients had died or suffered serious harm at the hands of inexperienced surgeons trying the new surgery. "It can result in disaster, and disasters have happened," Professor Cuschieri said. Last month the department issued a further warning that the techniques were being introduced too fast, before there was clear evidence that they were better than conventional surgery.

To avert further disasters, the Health Department allocated £4 million to set up training centres in London, Leeds and Dundee. The Royal College of Surgeons, recognising that the traditional surgical apprenticeship is too cumbersome for today's high-tech techniques, has turned

over a floor of its headquarters in Lincoln's Inn, London, to provide a Minimal Access Therapy Training Unit, which welcomed its first students last month.

Keyhole surgery is seductive — the quick-fix, pain-free, bloodless cure. However, it requires hand-eye co-ordination of a different order from conventional open surgery. About one in 20 surgeons never masters it and difficulties in accepting this, especially where surgeons have long experience with conventional techniques, have led to some of the worst disasters.

The technique requires greater precision than conventional open surgery because bleeding has to be kept to a minimum to avoid cladding the TV camera.

This makes it slower, and more cumbersome. A trainee surgeon may take four times as long as an experienced surgeon to do a gall bladder operation using keyhole techniques, a much bigger differential than in conventional open surgery.

The risk is highest at the moment of the first incision, when the camera and instruments are introduced "blind" into the abdomen, which is inflated with air to create room for the surgeon to work. Until the camera is in position and can show the surgeon what he or she is doing, there is a danger of damaging internal organs that get in the way. Trainers stress that the initial incision requires the greatest care.

Once surgery is under way poor technique can cause serious problems. Accidentally touching the metal stem of the camera, for example, can cause arcing, resulting in a burn which may require surgical repair. Surgeons are warned never to switch on the electric cutter unless it is in contact with the tissue to be cut and all the instruments are in view.

The technique lends itself well to teaching because the students have exactly the same view of the operation as the surgeon via the TV monitor — and the pictures can be transmitted to lecture halls hundreds or thousands of miles away. In conventional surgery, only the surgeon's immediate assistants can see what is going on.

"We all know there is a certain amount of luck in whether your boss is a good

teacher," says Helen Allgrove, head of the education department for the royal college. "Not every boss is. What we are doing is trying to take some of the chance out of it."

The course lasts two days and costs £375. Students, most of whom pay for themselves, are assessed at the end of it and advised how to improve their technique, which will take many hours of further practice. Eventually they will be let loose on live patients — who might want to inquire about their skill at peeling grapes.

John Stewart, a surgeon from Walsall Manor Hospital and one of the royal college's chief trainers, is already looking forward to the time when virtual reality technology will allow operations to be performed remotely, so that patients can get expert care from surgeons hundreds or even thousands of miles away.

"A patient with a brain tumour will go into hospital, the robot will be bolted on and then the surgeon in the specialist centre will operate from a scan superimposed on an image of the brain. He will wear a virtual reality helmet and he will join the dots on the scan, taking out the tumour with a one-millimetre margin — an operation that can't be done freehand. It sends shivers down your spine. I expect virtual reality systems to be used in my lifetime."

## Diseases that divide a continent

The same complaint will receive a variety of diagnoses and prescriptions across Europe

A 20-year-old woman suffering from tiredness, headaches, dizziness, poor sleep, heart palpitations and general ill-health who consults her doctor will be treated differently in different European countries.

If she lives in Dover her doctor will probably diagnose anxiety or depression, and prescribe either an antidepressant, or refer her for counselling. If she lives in Calais, then she is likely to be given a minor tranquilliser and homeopathic treatment.

If she visits a doctor in Dortmund, however, he will most likely diagnose a "myocardial insufficiency", or low blood pressure — a physical rather than a mental-health problem. She may receive small doses of a cardiac drug such as digoxin, and be referred for physical therapy such as massage.

Writing in the current issue of the *British Medical Journal* two Dutch psychiatrists, Dr Jim van Os and Dr Jan Neeleman draw attention to the extraordinary diversity in diagnosis, prescriptions and legislation in European psychiatric practices.

The French have double the alcohol-related problems that we do (but then they consume twice as much alcohol). More baffling is the suicide rate in Hungary, which is five times higher than in the UK. One possible explanation is that Hungarian doctors are not very successful in detecting depression.

Such differences are backed up by data, collected by the Office of Health Economics, which record the 20 most frequent diagnoses, and the 20 most frequently used prescriptions in general practices across the EC. Antidepressants are popular in Britain, but do not make the top 20 in France or Germany. The French will probably prescribe minor tranquillisers.

Dr van Os and Dr Neeleman also found dramatic differences in attitudes to drug addiction. Some countries see it as a disease, others as criminal behaviour, and others as a lifestyle. Possession of drugs with a view to use is largely decriminalised in Holland and Spain, but not in Britain, Finland or Ireland, where it can lead to a prison sentence. Methadone, a substitute for heroin, is used for drug maintenance programmes in Holland, and for heroin withdrawal in this country, but it is little used in France and is almost unknown in Scandinavia and Eastern Europe.

Perhaps the most disturbing difference relates to attitudes. In Britain prevention of suicide remains one of the fundamental goals of psychiatric care. Both the law and professional opinion is opposed to euthanasia. In Holland, however, although euthanasia is illegal, a blind eye can be turned to what is not an uncommon procedure. While the Channel Tunnel may bring us closer to Europe, vast differences remain in medicine and psychiatry despite the moves to harmonise them.

DR SIMON WESSELY  
The author is Senior Lecturer at the Institute of Psychiatry.

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Roy Hattersley sounds a  
clarion call for Labour

## Socialism means equality

Two parts of Tony Blair's conference speech, though separated by 25 minutes, were inseparably linked. Labour, he said, must have a new statement of "objects and objectives", and what is more, the party must "stop apologising for using the word" socialism. Put together, the promise and reproach entitle us to hope for a constitution which is unapologetically socialist. If our hopes are realised, Tuesday October 4, 1994 was the day Labour abandoned the numbing caution which has inhibited its policy-makers for too long.

In politics, caution is usually the product of insecurity — the nervous need to be recognised as politically respectable. Intellectual and ideological respectability is important to Labour. But the party itself must decide how respectability is defined, not accept a definition thrust upon it by the Bank of England, the Daily Express or even the Liberal Democrats. Being anxious to live by standards set by critics and opponents is a sign of self-doubt, and self-doubt is death for a radical party.

Electoral victory depends on stimulating positive support for what the Labour Party offers, not just continual rejection of Tory failure. A campaign to win support for Labour on Labour's merits must begin with a clear statement of the alternative philosophy upon which a new government would build a new society.

With every year that passes, a clear and coherent ideological alternative becomes increasingly important. Once upon a time, hopes of victory could be built on the loyalty of the working class and the self-interest of industrial towns and cities. But the class structure and the industrial maps have changed. Now Labour has to appeal to every section of the population through the strength of its arguments. It is hard to be a party of ideas if we are afraid to say what our basic idea is.

This is why Tony Blair must produce a statement not of policies but of principles, a description not of means but of ends. Everyone agrees that full employment must be the next Labour government's first priority, for it is essential to economic efficiency as well as to social justice. But that simple explanation of why the country must be put back to work demonstrates that even full employment is not a fundamental objective. It is one of the means by which socialism's fundamental objective can be achieved.

Blair's promise of a statement of principles has been taken by many commentators to mean no more than a repeal of Clause Four of the 1918 party constitution, which is itself a description of economic means rather than of social objectives. It is obviously necessary to put that clause out of its misery. Even Sidney Webb, its author, described it as meaningless, in an article published within weeks of the constitution's adoption by the Labour conference. The notion

which he dismissed as vacuous became an alternative to thought. It is one of the reasons why there has been so little discussion of the Labour Party's basic purpose. But abandoning Clause Four is not enough.

Ending the commitment to universal social ownership will protect Labour from one of the cruder misrepresentations of its economic policy, but that is a negative aim. Labour spent a full decade, a tenth of its history, proving what it is not: not Marxist, not Trotskyite, not anarchist, not in trade union pockets, not isolationist, not neutralist, not an ill-assorted collection of pressure groups with rival opinions which often conflict. The time has come for Labour to explain what it is.

A statement of basic beliefs — an ethical framework upon which policies are built — has immense practical advantages. It enables a new or prospective government to construct a programme which is credible because it is consistent. It gives governments, and their supporters, the faith to battle on during the inevitable periods of doubt and difficulty. It prevents parties which have been long in office from losing support because they seem to have lost all sense of direction.

We need not  
be ashamed  
of the word  
socialism,  
or the belief

We can be sure that if Labour does not provide a statement of its principles, some of its enemies will fill the vacuum. Worse yet, so will some of its friends. Labour has nothing to gain from allowing those two philosophers Jeremy Hanley and Arthur Scargill to combine in the explanation that socialism is the doctrine of regulation, state control and total uniformity. For far too long Labour has reacted to the calamities of the Right and the heresies of the far Left with defensive assurances about its good intentions. Now it must attack. It is Tory ideology that has failed.

Now is not the time to look for points of agreement. It is the time for a bold description of the alternative view of society. That is why the injunction to stop apologising for socialism is so important. In the years when Labour was afraid of the idea, it was afraid of the word. The vocabulary has been emancipated, and that is the first step towards rehabilitating the idea, despite the risks. Those risks should not be underestimated. Blair and Prescott cannot echo Herbert Morrison's view that "Socialism is whatever the Labour Party happens to be doing at the time". The word has a history and a provenance. It cannot be redefined to mean welfare capitalism or benevolent laissez faire. The danger and the strength of Tony Blair's position is that in a single speech he has both asserted the need for Labour to be socialist and promised an explanation of what socialism means. It can mean only one thing. Socialism is about equality.

This is an extract from tonight's George Orwell lecture.



## Dogma is out of date

Most of the tears over the supposed  
end of Thatcherism are being shed by  
crocodiles, writes Alan Clark

A great warm wind, since that perfectly sensible Cabinet decision to scrap plans to privatise the Post Office, has been blowing across the political landscape. And hot air, sir, is not a new phenomenon. After a decade exhorting Margaret Thatcher and all her works, commentators (a class, I admit, with short memories and little scruple) now shamelessly deplore "the end of Thatcherism".

A further testimony to the determination of (most) editors to present the Government in an unfavourable light whatever aspect of policy may be under scrutiny is that they should be incapable of looking at this decision in a detached or even an inquisitive manner.

So let us be clear about three things. First, the whole idea was electoral suicide. The benefits (if any) lay in the future; the immediate consequence would have been to swell still further the number in various categories of public service who have been alienated by the Conservatives, by adding to their ranks the postmen. Amiable, respected emissaries entering most households on most days; personifications of order, regularity and good sense — how would they have voted in future? And were they likely to keep this intention to themselves?

Of course Post Office "middle management" was in favour (but how inept that this should have been prayed in aid of the scheme). Trebled salaries, perks and share options beckoned. But for the customers — that is, the electorate — such a spectacle would simply have been a further irritant when their letters went astray.

Second, let us remember the realities of party management. It can be argued that anything opposed simultaneously by Mr Hugh Dykes and Mr Nicholas Winterton (both of them notorious malcontents, though from opposite wings of the Tory party) must have something to recommend it. But the indignant pretence that no more than "about 20" backbenchers imposed their will on an enthusiastic majority of several hundred is completely bogus. Most of the delegates at the Tory conference and more than half of the parliamentary party were deeply uneasy about this proposal; and the whips had no choice but to make this clear to Cabinet.

As for the bizarre notion of the

President of the Board of Trade that despite the arithmetic he could somehow force it through by threatening his own resignation if the vote were lost, there can be only two explanations. Either it was pure, mace-swinging *folie de grandeur*, or it arose from the calculation that if he could find a spectacular way to leave the Cabinet, it would restore his freedom to criticise its conduct and at the same time enhance his credibility with the Right (a group certainly no less glib or self-centred than their colleagues). The calculation may have been that this would put Mr

Thatcher in a better position to bid for the leadership of the party if anything should "happen" in 1995.

Third, consider the tears that have been shed — most of them by crocodiles — over "the end of radicalism". I fully appreciate that some people like to gloat under the pretence of making an objective analysis — the written equivalent of the constant reprinting of that photograph of Margaret Thatcher's unhappy expression in the car that took her away from No 10 — but their arguments are completely out of date.

An obsession, whether real or pretended, with the virtues of privatisation is the familiar defect of senior staff officers who plan to fight the next war on the "case assumptions", and with the weapons, of the last. The Post Office, even in Margaret Thatcher's time, was always at the back of the bottom drawer: politically difficult, hard to restructure, not to be broached except at the start of a new parliament.

What had worked brilliantly for steel, road-haulage and telephones was already looking tarnished when it came to water and electricity. And the railways, plainly, are going to be a nightmare, with the Treasury in the position of an unhappy householder

having a clearance sale and ending up paying the gypsies to take the stuff away. In intellectual terms, this argument is dead. There is no "radicalism" left.

Far more interesting — because anti-consensus and original — are the arguments of Sir James Goldsmith. And it is on this terrain, I believe, that political argument will be conducted over the next decade. His book, *The Trap*, to be published next week, takes the form of a Socratic dialogue with the economics editor of *Le Figaro*, and should be required reading for all those committed to the

interplay of ideas and action in politics.

Critics, always at the ready to distort by omission and misplaced emphasis, portray the book as a protectionist tract. In fact, the text is replete with revisionism on a whole range of topics. Consider this delicate repudiation of a notorious Thatcherite principle:

The idea that society consists of a multitude of individuals is wrong. A robust society consists of families and local communities. These are the true building blocks...

But it is these essential elements that the universal welfare state weakens by reducing their responsibilities as well as their authority.

If you remove from a family its duty to provide for the health, education and welfare of its children, you destroy the cohesion of that family and thereby the community to which it belongs. The children effectively become wards of the state.

Immediately one finds oneself moving away from the foetid party arguments of the past decade into the new politics, in which John Major and Tony Blair both need to claim the high ground.

I have spoken to school or university audiences every week since the conference season ended. My experi-

ence is that the redder the brick, the harder the reactionary line. Student views on law and order would make your hair stand on end, being founded, it seems, on Zhirinovskiy's precept that "it may be necessary to kill fifty thousand in order that fifty million may live in safety and peace".

Their rejection of Euro-federalism is absolute — comparable only to the renunciation of the Keynesian ethic which permeated the universities in the late 1970s. And although few of the students can be paying tax at present, they are determined to keep as much as possible of the earnings for which their training is qualifying them. If "government money" is to be channelled anywhere, they believe it should be to environmental projects rather than to social beneficiaries. These students are as dry as any Thatcherite. But privatisation is never mentioned. As an issue, it is obsolete.

Universities, admittedly, are a very sophisticated electorate (although their mood is so unimpressive, it is bound to shape attitudes in the future). Now, or so we are told, the Government is apprehensive of debating our increased contribution to Europe. But if the public, and the universities, and the House of Commons are all of the same mind, why not give them what they want?

A member of the Cabinet (prudently anonymous) was widely quoted over the weekend as saying: "We now look like a government that is run by business managers who are averse to taking any risk. It is difficult to see why people should want to vote for a party which behaves like that." *Au contraire*. People have had a hard time these past few years, and much of the trouble they attribute to ideology or to incompetence.

Never mind the disputation over who owns what particular piece of left luggage. What Tories have to deliver is what we have managed to deliver at the past four general elections: a convincing promise of higher take-home pay, improved household value, and a reasonable level of security for persons and property. Once these are assured, we can again start to dabble in philosophy — though hardly in Thatcherite nostalgia. But risk is the very last thing we should think of offering. *Macmillan will publish Sir James Goldsmith's The Trap at £7.99.*

## None of their business

Graham Mather

on the need to  
stop EC meddling

Yesterday's discussion on Europe and employment at the CBI conference highlighted a critical disagreement about the future of the European labour market. For all the EC's lip-service to growth and competitiveness, Commissioner Padraig Flynn's repeated attacks on Britain's opt-out from the social protocol showed a persistent intention to create a federal European labour law.

A long list of job-threatening directives is sitting in the Brussels pending tray. Most significantly, these directives attack part-time work. The Commission's plan to harmonise the terms of part-time work with those of full-time work would snuff out Britain's chief growth area for new jobs. Employment and self-employment has increased by 329,000 in Britain since the winter of 1992, but only a tenth of these new jobs, 31,000 of them, are in traditional full-time employment.

Brussels is hoping to smuggle works councils into Britain by the back door. For 20 years, it has had one intent: to introduce throughout Europe the German system of "co-determination" of company decisions. Given the freedom to choose, no British company wants this. The model which may have suited post-war Germany now looks rigid and outdated. British companies have not adopted two-tier boards and German-style works councils, despite complete legal freedom to do so, because they add little value to modern industrial relations.

And if anyone challenges the good faith of British employers, let us highlight the modern forms of worker-participation which do fit the needs of modern companies. Financial participation in company success is racing ahead in Britain. In just one year, up to April 1994, the number of companies with profit-related pay schemes grew by 57 per cent, from 118 to 186 million.

The Brussels social policy programme fails to admit the truth, demonstrated by its own economists, that it is in the service sector and in privatised state welfare that the hope for new jobs lies. Why has Brussels no equivalent of the US Bureau of Labor Statistics, which each year lists its reputation by forecasting key sectors for job growth? In America, jobs in private residential care are expected to increase by 150 per cent, with computer and data services up 96 per cent, health services up 89 per cent, child care up 73 per cent and business services up 71 per cent. This is because America's private sector has the scope to create welfare jobs which is denied in much of state-dominated Europe.

America created 4 million jobs between 1988 and 1993, most of which pay much more than the service sector average of \$371 a week. The four highest-paying occupational groups in services added 2.72 million jobs, while the lower-paying created 1.63 million jobs. The figures suggest that employers are seeking better qualified workers with better education and skills, for jobs that pay more. Such jobs are globally viable, but too much European thinking is wedded to the protection of underperforming state monopolies, the concealment of unemployment in low-productivity public-sector jobs, the "sharing out" of work by statutory controls on working time, and the snuffing out of differentials in terms and conditions.

Last month the European Parliament passed a resolution attacking the shedding of jobs at British Telecom. Unsurprisingly, the resolution failed to mention that all redundancies had been voluntary and agreed with the unions. More disturbingly, it showed not the slightest understanding that jobs are moving from old, former monopoly providers to new, customer-conscious, high-tech businesses. In the telecoms sector, for example, there are in Britain no fewer than 100 new licensed service providers. The information superhighway has arrived in Britain, though it is still an aspiration in much of Europe.

European social policy has no idea of dynamic industrial change. Dominated by trade union influence, its promoters see privatisation and competition as a threat to the comfortable large monopolies which continue to provide public services in many parts of the European Union. But America's deregulated jobs market has outperformed the over-regulated European market, enabling long-term improvements in social services, while Europe's old model offers only a squeeze on welfare. And America has achieved this without the federal labour law which the Commission seeks to foist on Europe.

The social policy enthusiasts refuse to accept their defeat at Maastricht, by which Britain secured a durable opt-out. Legally, the Social Protocol is outside the core treaty. Strictly speaking, it is the 11 who have opted in to an extra arrangement.

If Commissioner Flynn continues to challenge the Maastricht agreement, Britain should raise the stakes and challenge the Commission's jurisdiction to act in this area at all. The author is Conservative spokesman on employment in the European Parliament.

## Putt right

A BELTER of a drive for women's rights has rattled through the clubhouse bar where male chauvinism has ruled for more than a century. Northwood Golf Club, which hit the headlines this year after a fly-on-the-wall documentary highlighted sexist policies at the tee, voted this weekend to give women full membership.

The documentary for Channel 4 prompted a revolt among members of the Middlesex club, who complained their beloved institution had been transformed into a peep-show which mocked their "gentlemen's traditions". Rank-and-file discontent culminated in the circulation of a petition demanding the directors' resignation. They were duly replaced in the spring by rather more progressive individuals, who refused to bury their head in the bunker and lobbied for women members.

The decision to take in women is amazing. It's momentous," said my man (no women available as yet) at the 19th hole. "Of course there were a few diehards who appear disgruntled by the fairer sex. But the vote was overwhelming."

Bryan Lund, the former chairman of the club who was forced out

by the protest, argued that he had tried to bring in women but failed. "I proposed the motion two years ago, but it needed 75 per cent of the members to vote for it."

### One's family

QUEEN ELIZABETH the Queen Mother could not be more delighted to see that her great niece, the Queen's cousin, Lady Diana Bowes Lyon, is to tie the knot. It is the choice of spouse, announced

DO I SPEAK NOW,  
FOREVER HOLD MY  
PPS?



yesterday, that has so excited her, explains a royal informant: the bridegroom is Christopher Godfrey-Faussett, whose grandfather, Brigadier Bryan, was an equestrian to the Queen Mother's husband, George VI.

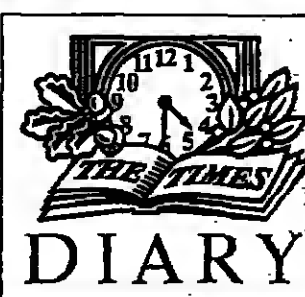
Lady Diana, daughter of the late Earl of Strathmore, is not short of credentials herself. She currently works as personal assistant to Eddie Bell, chairman of HarperCollins, before which she worked for Lord Archer.

● The Prince of Wales will have had a sympathetic ear in Hong Kong from Chris Patten — over his Jack Russell terrier Pooch, lost chasing rabbits in Scotland. Patten's terrier Soda went missing two years ago; then his companion Whisky sank his teeth into a workman. Doghouse for them.

### Unbowed

WHATEVER the exact circumstances of that Ritz bill, Jonathan Aitken has been widely acclaimed for his sang froid under pressure from allegations of sleaze. Surprisingly, he puts this down to his poetical leanings.

Aitken has been reciting to himself a work by the Victorian poet William Henley, which the minister learnt as a pubescent Etonian. It concerns a man under siege who



vows to triumph over his detractors and is entitled *Echoes*. It's just the sort of thing to stiffen Aitken's steely resolve to stay ahead:

In the fell clutch of circumstance,  
I have not winced nor cried;  
Under the bludgeonings of chance,  
My head is bloody but unbowed...

### Just the place

FATE has played a hand in David Mellor's romantic association with Lady Cobham. And not just because he fled with his wife to Lord Cobham's family seat, Hagley Hall in Worcestershire, during his affair with Antonia de Sancha in an attempt to tie low and escape the press hounds.

On Saturday night, just after the story of his new liaison had bro-

ken, the publicist Max Clifford dined out with his client Antonia de Sancha and two journalists from *The Sun*. The venue was a cosy Italian restaurant called La Capanna — in the Surrey commuter town of Cobham.

### Bottled up

LORD ARCHER's loyalties were tested to the utmost last night at the President's Ball in London's Grosvenor House Hotel, where the Lord's Taverners laid on a lively bash attended by Prince Edward.

Archer, whose loyalty lies with Krug champagne, ran the charity auction. But among the nine prizes was a complete pyramid — all nine of the bottle sizes — of Moët & Chandon. The range ran from a quarter bottle to a Nebuchadnezzar, and amounted to 63 and three-quarter bottles.

"My energy will be spent auctioning the cricket bat signed by Donald Bradman," he said. "It might have run out by the champagne." The Lord's Taverners are taking no chances, though. Mickey Skinner, the strapping England rugby forward signed the quarter-bottle, and will be standing square by behind Archer, the auctioneer at the ball, to see it reaches a fair price.

P-H-S



Skinner: his delicate hand appears on the quarter-bottle





## NEW ERMINE

The House of Lords needs conservative reform

Less than a year ago, reform of the House of Lords still seemed a peripheral issue. But Tony Blair's announcement during his leadership campaign that he would discontinue hereditary peers "within months" made a previously obscure question one of immediate national concern.

In *The Times* yesterday, Vernon Bogdanor examined the options for reform which would face a Labour Government — concluding that the House of Lords would probably "slumber on undisturbed". Mr Bogdanor's prediction may be correct. But he may also underestimate Mr Blair's commitment — for reasons which have as much to do with tactics as principle — to this policy. In theory at least, Labour is now bent on many constitutional reforms. To the Opposition leader, reforming the House of Lords may seem a comparatively safe first step.

The Tory response has been muted and unsatisfactory. The suggestion of Viscount Cranborne, the leader of the Lords, that young hereditary peers should be encouraged to take a more active role in the affairs of the House is an insufficient riposte. Conservatives should instead make the case for constructive change. They should present themselves as the natural custodians of the unwritten constitution, conscious of its shortcomings and able to address them without falling prey to the constitutional rationalism that grips the Opposition.

The case for evolutionary reform of the Lords is that, contrary to the caricature of the Upper House, it is becoming more important. It continues to be a powerful brake on the power of the Government in the Commons, as ministers whose legislation has been slowed or revised can attest. In the past three full sessions, the House of Lords has made — and the House of Commons agreed — 1,583, 2,079, and (so far) 1,441 amendments to Commons and Government Bills. Since 1979, the Government has been defeated 233 times. But the principal merit of the Lords is not that it occasionally opposes the Lower House but that it improves the quality of law-making. It can plausibly claim to be the sceptical conscience of the nation.

As the volume of legislation has increased, so the need for the Lords to scrutinise Bills

has become more pressing. As the business of government has become more complex, so the technical expertise of its members has become more useful. Its select committees are among the most highly regarded in Westminster. The range of their activities should be increased and more pre-legislative work given to their subcommittees.

Changing the composition of the Lords would be a more delicate business. It is difficult to imagine an elected British senate on the American model, or a nominated Upper House on Canadian lines. One of the most attractive features of the modern House of Lords has been its pluralism. This characteristic should not be surrendered. Instead, the Government should consider ways in which the hereditary principle in the Upper House might be slowly laid to rest. It is one thing to believe in the symbolism of a hereditary monarchy; the principle that the accident of birth should entitle a group of people to seats in the legislature is something different.

Withdrawing hereditary peers from the House need not be a convulsive process, since most attend and speak far less often than life peers. One way of phasing out this form of entitlement would be to legislate that new hereditary peers would no longer have the automatic right to sit in the Upper House, thus distinguishing between peers of the realm and peers of Parliament. To smooth the transition, a group of the most active hereditary peers — including all first holders of such titles — could be given the extraordinary right to a seat on the same terms as life peers. They would then be replaced gradually by new members.

These could be appointees, selected from the business, professional and political worlds. But the danger of putting more nominees on the benches of Parliament is that the Lords would become Britain's largest quango. Alternatively, peers could be elected regionally, representing areas much larger than parliamentary constituencies. A less bureaucratic approach would be to restore in part the Lords' ancient role as an assembly of the regions. To do so would be to modernise with reference to the past: a reform which ought to appeal to all true Conservatives.

## FISCAL PANTOMIME

Clarke must cut more than £5 billion from public spending

The seasonal showdown over public spending, due to take place at today's meeting of the EDO Cabinet Committee, will draw about as much real blood as the annual battle between Peter Pan and Captain Hook. Kenneth Clarke, the Chancellor, is expected to demand reductions in public spending of around £5 billion. Although such "cuts" will elicit ritual cries of anguish from the spending ministers and lobbyists, they will not even be reductions at all.

If £5 billion of so-called cuts were taken, the public spending control total for 1995-96 would amount to £258 billion. This would be £10 billion more than is actually likely to be spent in the present fiscal year, simply because inflation in the economy has turned out to be much lower than the Treasury anticipated in last November's Budget. All Mr Clarke would be doing in taking the rumoured £5 billion from his colleagues' budgets, therefore, would be to reduce the growth of public spending to around 4 per cent next year. Such an "austerity Budget" would still leave most departments with a comfortable margin of extra spending above the likely rate of inflation next year.

Under these benign circumstances it would be understandable if the seasonal confrontations between the spending departments and the Treasury were to lose some of their aggressive edge. The ministers could easily volunteer a few ritual sacrifices which would not threaten any serious inroads on their empires. The Chancellor could easily take comfort in the Treasury's favourable fiscal projections. These show that even without a further assault on government spending, the Public Sector Borrowing

Requirement should shrink in the coming year to around £20 billion and vanish altogether by 1997-98.

But before today's Cabinet committee adjourns in a welter of mutual congratulation, ministers should recall how this miraculous transformation of Britain's public finances came to pass. The spectre of excessive borrowing, which had seemed so threatening when the Treasury finally totted up the costs of the 1990-92 recession, has not disappeared because of some astonishing belt-tightening by the spending departments or some economic miracle wrought by the Chancellor. The source of fiscal relief is less admirable, especially for a Tory Government in the last two Budgets, Norman Lamont and Kenneth Clarke imposed the biggest two-year tax increase the British electorate has suffered since World War Two. Before they feel too jubilant about the scope for pre-election tax cuts in the Budget arithmetic, the Tories should remember that half of their tax increases will not even begin to be paid until April next year.

Perhaps the electorate will be seduced by a Government that simply gives back in 1996 and 1997 the money it took away in 1994 and 1995. But Mr Clarke and his colleagues should not bank on it. If they want to make genuine reductions in the share of national income taken by taxes in Britain, they must agree on corresponding cuts in government spending. These cuts must produce tangible reductions in government activity and manpower. There has to be genuine discomfort for the masters of the government machines. Playing around with inflation adjustments and funny money should impress no one.

## ELEPHANTINE SUCCESS

But continuing the total ban on the ivory trade is essential

The illegal international trade in wildlife and wildlife products is estimated by Interpol at \$5 billion a year. The Convention on International Trade in Endangered Species of Flora and Fauna (CITES), to which more than 120 countries are party, bans or restricts international trade in some 34,000 endangered or rare species. Yet the loss of species in many regions is dramatic. Sanctions are weak and rarely invoked even against the most guilty countries. In the year to February 1994, British customs seized 12,653 items — endangered species or products made from them — at Heathrow, Gatwick and Stansted alone. Europe is the world's second largest market for wild birds, some on the danger list.

Public awareness and the prestige of CITES are vital to improving this record. The single spectacular success CITES can point to is the total ban on trade in elephant products, including ivory, introduced in 1989. "Controlled" trade in ivory had been a dismal failure; in ten years, Africa's elephant population had fallen from 1.3 million to 600,000. Poachers have few incentives today. Although demand in Japan is still high, the Western ivory market has collapsed and the price — contrary to predictions by opponents of the ban — has fallen

from £90 a pound to less than £2. Now South Africa, which has always objected to the ban, wants the CITES meeting in Florida to relax it, permitting it to export elephant hides, prized for such items as elephant wastepaper bins and Texan cowboy boots. It argues that it needs to cull the beasts, and could raise \$500,000 for conservation that way — and that if humoured, it will co-operate with the ban on ivory sales. Perhaps, but South African warden on record that they have millions-worth of tusks which they hope one day to sell. Conservationists, pointing to an upsurge in poaching in Zambia and Tanzania, believe that ivory traders would take a partial relaxation of the ban as a green light.

Britain is wavering but inclined to support South Africa. It should do no such thing. If South Africa is genuine about the ivory ban, let it first destroy its stockpiles. If it is short of money, let it charge overseas tourists more to visit its game parks. An elephant hide is worth \$1,000. Kenya calculates that during its lifespan, an elephant brings in \$1 million in tourist revenue. In Africa, where governments are weak if not corrupt, the odds are against the elephant surviving even a partial resumption of trade in its carcass. That should be the sole consideration for CITES.

## Retreat on mail privatisation

From Mr John Horam, MP for Orpington (Conservative)

Sir, It is ludicrous of Peter Riddell to suggest "Governing without purpose" (November 4) that the abandonment of mail privatisation means that the Conservatives no longer have a radical agenda.

First, the last 15 years, despite successes with trade union reform, privatisation and the creation of a more entrepreneurial culture, have seen little progress with reducing the size of the public sector, or the total tax bill, which are at least as important in modern Conservative thinking. This alone is a 20-year programme.

Secondly, there are the reforms already begun in education and health care which need at least another ten years of careful development; action to reduce unemployment and help small businesses; further reform of government machinery and parliamentary procedure (long overdue); the initiative in Northern Ireland; the future of the European Union and our position within it. And this leaves out "events".

Of course much of the above requires good management and careful policies, rather than legislation. And this is the point. We now need more skillful management from the Government and less legislation, which experience has often shown is often ill-drafted by civil servants and badly scrutinised by Parliament.

This is why I welcome the Cabinet's decision on mail privatisation. The idea is sound but the timing dreadful. The way forward here is along the sensible lines suggested by Simon Jenkins ("The Treasury's deadly stamp", November 5). If ministers are deterred by Treasury mandarins, we will surely know that the Cabinet has lost its radical drive.

Yours sincerely,  
JOHN HORAM,  
House of Commons,  
November 5.

From Mr Michael R. Bond

Sir, Competition for the Post Office won't go away just because its ownership changes. Privatisation is irrelevant to the central issue of appointing managers to manage the enterprise and giving them the freedom to do so. Mr Heseltine's fears for the future of the Post Office in the public sector are a tacit admission that Whitehall can only manage failure and is frightened of success. The Treasury has done its best to frustrate Post Office success by restricting essential capital investment and imposing large increases in its tax take from the "dividend" the Post Office is compelled to pay.

Despite all this, the Post Office is doing and is seen to be doing an excellent job. That a party of business tolerates the negative attitude exhibited by HM Treasury is one of the great mysteries of our time.

Yours faithfully,  
MICHAEL R. BOND  
(Chairman, Cambridge and District Post Office Advisory Committee),  
119 High Street,  
Chesham, Chesham,  
November 4.

From Miss Regina Kibel

Sir, Speeches by the President of the Board of Trade and the Chief Executive of the Post Office show a complete lack of understanding of the public's objection to the privatisation proposals. They consistently refer to the Post Office as a business. The public wants it to continue to be a service. We do not want to be "customers" who only get service when, and because, we immediately pay for it. We prefer to be recognised as citizens who communally own, and have financed, a great public utility, to whom it owes a duty.

Yours faithfully,  
REGINA KIBEL,  
7 Barham House,  
Molyneux Street, W1,  
November 4.

## A Kray recollection

From Mr John Platts-Mills, QC

Sir, In his memoirs, Sir Robin Dunn records a supposedly cruel remark that the late Sir Melford Stevenson made of me (report, November 1). While defending Ronnie Kray at the Old Bailey in 1969 I found him to be a most kindly and thoughtful client. I told Melford out of court that Ronnie was probably a nicer chap than I was. I am not surprised to learn that Melford cribbed this remark and made it his own.

Contrary to general belief, I had a most friendly relationship with Melford. The only unkindness that I can lay at his door — and this was a gross injustice — was trying the Kray twins for the murders of (George) Cornell and (Jack "The Hat") McVitie together when there was no common feature except that the victims had both died.

My judgment of the case was that if Melford had tried the murders fairly, both twins might well have got off.

Yours obediently,  
JOHN PLATTS-MILLS,  
Clerks,  
1 Pump Court, Temple, EC4.

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Letters for publication may be faxed to 071-782 5046.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

## Instilling right kind of team spirit

From Mr R. C. Sopwith

Sir, The unattractive traits displayed in competitive school sport (Dr I. M. Blake's letter, October 31; also letters, October 19, 26) are often sadly true. However it may be that these represent a necessary therapy or outworking of aggression in an imperfect society, infected by selfish players.

Many of us have nevertheless been heartened by a greater spirit, fixed by exceptional performances which raised our own level of skill and caused us to admire individuals overcoming adversity.

It is rather the continuation of "team spirit" off the field of play beyond the confines of tub or club, spilling arrogantly on to the streets, at best nauseating, at worst violent, which makes the successful fight, unbeaten eleven or triumphant fifteen so objectionable in its cups and unlovable in a public place.

After years of playing in and then coaching school teams, seeing boys learning to survive double-figure defeats at soccer or receiving just deserts when throwing away advantage at hockey, what shared delight there can be when the balance of a cricket match swings suddenly as a marvellous performance changes all. At such a point even the parents of the loser applaud and know that their own players' best was not good enough this time. But next time...

Yours faithfully,  
R. C. SOPWITH (Housemaster,  
Wellington College, 1977-88),  
Linden Lea, Riversmead,  
Tilford, Farnham, Surrey,  
November 1.

From Professor Emeritus P. B. Fellgett, FRs

Sir, To many of us, compulsory games constitute the unhappiest and most futile memory of our school days.

Although I do not have Dr Blake's experience of instrumental music groups in schools, I had the privilege,

in connection with a research project some years ago, of working with professional musicians, and I found them to exhibit all the excellent qualities which Dr Blake describes.

Those who like team games will play them anyway, and for those to whom they make no appeal there are much better forms of physical activity.

Yours faithfully,  
PETER FELLGETT,  
Little Brighton,  
St New Highway, Bodmin, Cornwall.

From Mr T. H. Richardson

Sir, Team games encourage the qualities necessary for participation in the struggles of later life. It should be possible for teachers and coaches to minimise the tendency to excessive aggression.

Music groups on the other hand are essentially collaborative. They encourage those other qualities required for the appreciation of culture and the enjoyment of life.

Comparisons are odious. We require both if education is to produce the balanced adult.

Yours sincerely,  
T. H. RICHARDSON,  
White Gables, Swainby,  
Northallerton, North Yorkshire.

From Miss Alicia Chislett

Sir, Unlike most sports, music-making can be pursued throughout life. An eminent American physician with whom I occasionally have the pleasure of playing string quartets is, at the age of 96, still capable of leading a late Beethoven quartet with near-professional expertise.

Playing chamber music is a non-aggressive, non-compeditive activity. Schoolchildren who pursue this hobby after their school days are over will find that it is also "classical".

Yours faithfully,  
ALICIA CHISLETT,  
22 Beaufort Close, Reigate, Surrey.

## Western Sahara

From Mr Lamine Baali

Sir, I was deeply puzzled by the letter from the Moroccan Ambassador (November 1) on the subject of Western Sahara. His self-righteous tone implies that Morocco is not to blame for the delays in organising the referendum in Western Sahara. But if Morocco is not responsible, who is?

The ambassador does not mention the numerous actions undertaken by his country over the last three years to obstruct progress in implementing the UN settlement plan. The most important of these are the hundreds of ceasefire violations perpetrated by the Moroccan military, the arrest and imprisonment of many Saharawi civilians, the deliberate resettlement of tens of thousands of Moroccans in the occupied territory, and a systematic refusal to admit either the media or

international observers to monitor implementation of the plan.

A resolution adopted by the UN General Assembly last weekend emphasised the importance and usefulness of direct dialogue between the two parties, Morocco and Polisario. This is certainly the best, if not the only, way to ensure the atmosphere of serenity and trust needed for a free and fair referendum without military or administrative constraints.

We earnestly hope that Morocco will have the sense to resume direct dialogue as soon as possible, putting an end to more than 20 years of Saharawi suffering caused by the invasion and occupation of Western Sahara.

Yours faithfully,  
LAMINE BAALI  
(Polisario chief representative, UK),  
Polisario Office Great Britain,  
138 Tachbrook Street, SW1,  
November 3.

## Road congestion

From Mr David G. MacKenzie

Sir, Petrol prices are not, I'm afraid, the answer to reducing road traffic (letters, November 1). My experience studying transport problems around the world and most recently in the congested areas of Latin America suggests one needs:

□ progressive restrictions, strictly enforced, on city-centre parking, to the point at which it is virtually eliminated — both on and off street;

□ progressive restrictions on suburban on-street parking;

□ the gradual elimination (not taxation) of company owned/financed cars;

□ incentives to encourage the continuing replacement of older vehicles;

□ the development of extensive, high-quality, affordable, integrated public transport for urban areas and their surroundings;

□ progressive restrictions on the movement of goods by road in terms

of type, weight, distance and hours of access;

□ the closure to motor vehicles of a widening selection of roads, both urban and rural;

□ the development of integrated, efficient national rail transport;

□ the development of a national transport philosophy with a wide base of public acceptance, within which co-hesive national transport policies can be developed and implemented in a consistent and responsible manner by successive administrations.

Financial disincentives, such as road taxes, tolls, road pricing, fuel taxes and so on, generally have a very short-lived effect; they are inflationary and discriminatory. Given alternative modes and restrictions on the utility of motor-vehicles, a gradual reduction in fuel taxes could even be appropriate.

Yours faithfully,  
D. G. MACKENZIE  
(Regional Director,  
Transmark,  
3 Shortlands, Hammersmith  
International Centre, W6).

## Indonesian rights

From Mr Patrick Nicholls, MP for Teignbridge (Conservative)

Sir, The Reverend P. W. H. Davies (letter, November 2) cites Bishop Belo, leader of the Roman Catholic Church in East Timor, as saying that the apparent improvements in the human rights situation there, resulting from a reduction of the uniformed military presence on the streets, "disguises a worsening of conditions".

Although the bishop, in a taped interview with a third party (Jonathan Humphreys's letter, October 11), claimed that any improvements were only slight, the other non-government sources to whom my delegation from the all-party Anglo-Indonesian Parliamentary Group spoke during our recent visit, put it higher than that. When we asked the bishop what, practically speaking, was the way forward, he said he thought that it probably lay in the exploration of special status for East Timor within Indonesia.

Bernard Levin's attack ("Stop excusing tyranny", October 25) heaped vulgar and venomous abuse on someone he has never met on a subject which he does not appear to know. There is no need for me to draw attention in any detail, yet again, to wholly unsubstantiated casualty figures in East Timor since 1975; even those most

opposed to the government whom my delegation met freely admitted that they are completely unreliable.

Mr Levin implies that the group was not all-party because no Labour MP was present. The group's vice-chairman, the Labour MP David Young, had accepted the invitation, only declining at a late stage because of constituency obligations. The second Labour MP, who had originally expressed an interest in going, was also unable to accept.

We were able to raise the subject of human rights with everyone, from the President downwards. Everyone we met, including the dissidents and Bishop Belo, made the point that they were pleased that we had come to Indonesia to see for ourselves.

Mr Levin concludes that he can do nothing but write words. He could, of course, do better than that. He could look at all the evidence, instead of accepting uncritically every calumny heaped on Indonesia. He could try and understand something of the history of the country about which he writes and finally be able to reflect on whether the cause he seeks to advance is best served by dashing off articles of such bias and bile.

Yours faithfully,  
PATRICK NICHOLLS,  
House of Commons,  
November 3.

## Oil pollution and marine damage

From Mr Mick Green

Sir, The Braer disaster in January 1993, the current oil spill in northern Russia (report and photographs, October 27), and the Russian fish factory ship wrecked off Shetland (report, November 1) hit the headlines: regular discharges from production rigs, ships, etc. do not, yet they involve far more oil overall according to official figures which I have been given by the Department of Trade and Industry.

They show that in 1990 over 19,000 tonnes of oil were discharged into the North Sea from rigs alone. Even during exploration there can be serious damage to marine life from seismic surveys, discharges of drilling muds and other activities.

In 1993 the Government licensed oil exploration in the sensitive water of Cardigan Bay around the Pembrokeshire coast, an area containing one of the two statutory marine nature reserves in the UK and home to supposedly protected wildlife such as bottlenosed dolphins.

In April oil companies were invited to nominate areas around the UK coast for licensing. They nominated over 300 blocks, many in environmentally sensitive areas, including further areas of Cardigan Bay. Environmental groups such as mine believe that to license many of the areas would put the Government in breach of several international treaties and EC directives designed to protect wildlife.

The Government, I understand, is due to announce around 150 blocks which it will be licensing this year. If it wants to keep any environmental credibility it must exclude all those in sensitive areas and declare them inviolable from future exploration.

Yours sincerely,  
MICK GREEN  
(Chairman, Friends of Cardigan Bay),  
Bronlugh,  
Pentrebach, Talybont, Dyfed,  
November 1.

## Mother Teresa

From Mr Waldemar Januszczak

Sir, William Rees-Mogg ("Bringing the press to heel", November 3) admits he has not seen Channel 4's forthcoming programme on Mother Teresa, but this does not stop him from telling your readers how it represents Channel 4's desire to "spit" on "whatsoever things are pure, whatsoever things are lovely..." What ill-informed nonsense.

It is difficult to think of another public figure in recent times who has been the object of as much entirely uncritical attention as Mother Teresa of Calcutta. Blind adulation is every bit as unproductive as blind denigration, and Rees-Mogg manages to be guilty of both.

Channel 4 is not trying to "spit" on Mother Teresa but to ask some pertinent questions. What can the good, overcrowded people of Calcutta learn from Mother Teresa's fierce opposition to birth control? To what extent is she a mouthpiece of reactionary Catholicism? Did her much publicised visits to Baby Doc Duvalier in Haiti or Enver Hoxha of Albania give succour to their repugnant regimes?

Given the Catholic Church's inglorious record of hobnobbing with Fascists and not standing up to dictators — and I speak as a Polish Catholic myself — these are surely questions worth asking.

Yours sincerely,  
WALDEMAR JANUSZCZAK  
(Commissioning Editor,  
Arts and Music),  
Channel Four Television,  
124 Horseferry Road, SW1,  
November 3.

## Low priority

From the Chairman of English Heritage

Sir, If only Alan Coren's column (November 2) on Newcastle-upon-Tyne's Trinity House lino was as accurate as it was funny.

English Heritage enjoys a very good relationship with Trinity House. Not only did we recently contribute towards the cost of urgent repairs, we share with them a proper and passionate concern to conserve their historic buildings.

It was therefore a surprise to read that those who manage Trinity House believe the lino in the banqueting hall is of great interest. They never sought our views. Nor would we expect them to do so on such a minor matter of such little importance.

Yours sincerely,  
JOCELYN STEVENS, Chairman,  
English Heritage,  
23 Savile Row, W1,  
November 2.

## Doubling up

From Mrs Sue Fuge

Sir, Congratulations to Wren Anne-Marie Bilston who is to become Wren Wren after her forthcoming marriage (report, November 4).

How appropriate, in that her avian namesake, on formal occasions, uses the same repetitive device (Trogodytes trogodytes).

Yours faithfully,  
SUE FUGE,  
Mayfield House,  
Combe Down, Bath, Avon,  
November 7.







## OBITUARIES

**Sir Patrick Dean, GCMG,**  
Ambassador to Washington,  
1965-69, died on November 5  
aged 85. He was born on March  
16, 1909.

PATRICK DEAN had the most successful career of all the many able men whom the war brought into the Foreign Office. From other occupations, he was brought into the Suez affair where he would almost certainly have ended up as Permanent Under-Secretary and Head of the Diplomatic Service. As it was, he had to be content with the slightly unenviable last post of being Sir David Ormsby-Gore's distinctly less glamorous successor in Washington.

Patrick Henry Dean was the son of Professor H. R. Dean, the distinguished pathologist and Master of Trinity Hall, Cambridge. He was educated at Rugby School and Gonville and Caius College, Cambridge, of which he was a classical scholar. After first in Part I of the Classical Tripos and in both Parts of the Law Tripos, he was a fellow of Clare College, Cambridge, from 1932 to 1935. He was called to the Bar by Lincoln's Inn in 1934 and practised until 1939.

On the outbreak of war he joined the Foreign Office as an assistant legal adviser. His outstanding ability and capacity for hard work quickly established his position there and at the end of the war he decided not to return either to the Bar or to Cambridge, but to remain in the Foreign Service. From 1946 to 1950 he held the important post of Head of the German Political Department of the Foreign Office. He served abroad for the first time as Minister in Rome, 1950-51, and then returned to London as Senior Civilian Instructor at the Imperial Defence College.

This experience of working with colleagues from the armed forces was an excellent preparation for his next post as Assistant Under-Secretary of State in the Foreign Office responsible for relations with the Service Departments and the Chiefs of Staff, Intelligence and Security. During his unusually long tenure of this key position, Dean gave it renewed authority, which was recognised by his promotion in 1950 to the rank of Deputy Under-Secretary of State at the early age of 47.

It was therefore paradoxical that in the Suez affair of that year Dean should have become briefly involved in a major politico-military operation to which the collective knowledge



and judgment of the Foreign Office and of British representatives abroad could make no contribution. Sir Anthony Eden's exceptional knowledge of the machinery of Whitehall enabled him to ensure that no unwelcome advice could reach him; and until a comparatively late stage the Foreign Office was not represented on the special planning staff set up to prepare the invasion of Egypt.

Such was the secrecy imposed by the Prime Minister that Dean, responsible in the Foreign Office for all politico-military affairs, knew nothing of the plan for an Israeli attack on Egypt which was discussed at Chequers on October 14 and in Paris on October 16. He first learnt of it on the morning of October 24, when the Prime Minister told him to go at once to France in order to continue the discussions with French and Israeli ministers begun two days earlier by

the Foreign Secretary, whose day it was for questions. The only instructions given to Dean and Donald Logan, Selwyn Lloyd's assistant private secretary who went with him, were to make sure that it was understood that British forces would not move unless there was a clear military threat to the canal.

The Israelis, more interested in access to Aqaba, were reluctant to commit themselves. Eventually, the French produced three copies of a document which accurately recorded the discussions of October 22 and which Dean therefore agreed to sign *ad referendum*.

When, however, he gave his copy to the Prime Minister that evening he was told to go back to Paris next day and ask that all copies should be destroyed — a request which was refused after Dean and Logan had been locked up for some hours in one of the

grand rooms of the Quai d'Orsay. Thus, Dean did no more than carry out the Prime Minister's instructions on October 24 and 25. He had no responsibility for the policy of using force and no part in the plans for it.

After four more years in the Foreign Office Dean was promoted to be United Kingdom Permanent Representative to the United Nations. He had reached the highest rank in the Foreign Service in only 15 years. In New York his legal training, his clear brain, his sound judgment and strong nerves — and perhaps especially his stamina — enabled him to meet with unflinching, unhesitating, competence the incessant demands of this exacting post. Towards the end of his time there he had the disagreeable experience of knowing that his former senior colleague Sir Hugh Foot was making no secret of his belief that he would be taking Dean's place if Labour won the election. In October 1964 Foot duly did so, as Lord Caradon and Minister of State at the Foreign Office. Dean had to leave New York at once.

It had been confidently expected that on Sir Harold Caccia's retirement early in 1965 Dean would succeed him as Permanent Under-Secretary at the Foreign Office. The Wilson Government, however, remembering the part Dean was believed to have played in the Suez affair, passed him over in favour of Sir Paul Gore-Booth, who was known to have expressed his disapproval of the operation at the time. After an interval Dean was appointed Ambassador in Washington. Ironically enough, Gore-Booth was ideally qualified both by temperament and experience for Washington, whereas many of Dean's colleagues believed that, with his quieter disposition, he would have done outstandingly well as permanent head of the Foreign Office in what was to prove a turbulent and unhappy time.

In Washington Dean had the misfortune to succeed David Ormsby-Gore (or Lord Harehach as he had become) who, during John F. Kennedy's presidency, had enjoyed an altogether special position both in terms of access and of family friendship. In the Lyndon Johnson years there was much less scope for personal influence with the US Administration at the highest level, to be fair, was it, at least until the Wilson Government's U-turn over East of Suez, a period of acute problems in Anglo-American relations. Nevertheless Dean's special

gifts had perhaps found their best scope at the United Nations. He remained, though, a highly competent and hard-working, friendly, hospitable and lacking perhaps only star quality. This last donnish defect necessarily had its effect on his public appearances. Although he travelled and spoke widely, working particularly hard at export promotion, he never became a magnetic, or even eloquent, speaker.

As he approached the compulsory Diplomatic Service retirement age of 60, Dean had to suffer one more humiliation from the Wilson Government. For his last year on Massachusetts Avenue he became, in effect, a lame-duck ambassador. The announcement of his successor — John Freeman, the former High Commissioner to India — was made a year ahead of his actually taking up the post; to Dean's friends in Washington it necessarily looked as if an attempt was being made to humiliate him off the stage. (Freeman, like his successor, Lord Cromer, rated as a political appointee.) What made his nomination more remarkable was that in 1964, while editor of the *New Statesman*, Freeman had castigated the Head of State to whom he was now being accredited. But all this was forgiven by Richard Nixon at a Downing Street dinner in February 1969; and Freeman's own occupancy of the Washington Embassy, though brief, was by no means undistinguished.

For his part, Dean was much too young in spirit and alert in mind to remain inactive in retirement. He was soon in demand for business consultations and directorships. Later he undertook the heavy responsibilities of being chairman of the English Speaking Union, of the governing body of Rugby School and of Pinewood Preparatory School. To these varied tasks, while living modestly in a flat off Marylebone High Street, he brought characteristic energy and sound judgment.

He had been appointed GCMG in 1947. He was advanced to KCMG in 1957 and to GCMG in 1963. He was an honorary fellow of both his Cambridge colleges and a Bencher of Lincoln's Inn. He received honorary degrees from six American universities.

Patrick Dean married in 1945 Patricia Jackson, the youngest of four sisters noted for beauty, intelligence and charm. He owed a great deal to her support in his diplomatic posts. She and their two sons survive him.

## SWARAN SINGH



Swaran Singh, former Indian Foreign Minister, died on October 30 aged 87. He was born on August 19, 1907.

WITH HIS white turban and knee-length *achkan* jacket, Swaran Singh cut a distinctive and sartorially elegant figure on the world stage, conducting India's affairs with an urbane dignity that won him much admiration internationally.

The last surviving member of the first Jawaharlal Nehru government, he was also a senior member of the succeeding Lal Bahadur Shastri and Indira Gandhi cabinets.

As Minister for External Affairs, 1964-66, Defence Minister, 1966-70, Foreign Minister, 1970-74, and Minister of Defence again, 1974-75, he was a key figure in formulating government policy, helping to build warm relations with the Soviet Union and handling the usually tense contacts with China and Pakistan with a deft and sure diplomatic touch.

He was particularly effective as Foreign Minister in 1971, when East Pakistan broke away from West Pakistan and India sent in its troops to seize the eastern city of Dacca, in support of the secessionists, who went on to create the new state of Bangladesh.

His speech in the Security Council on December 16, 1971, calling on the world to "recognise the reality of Bangladesh" was a persuasive element in moulding international opinion on the issue, and Singh went on to play a leading role in the postwar diplomatic efforts that led, in 1974, to the tripartite agreement restoring relations between Bangladesh, India and Pakistan.

Born in the village of Shankar in what is now India's Punjab Province, Sardar Swaran Singh was the son of an Indian Army NCO. He studied at the village school and then in the town of Jalandhar before obtaining a master's degree in physics at Government College, Lahore. He went on to obtain a law degree and became an advocate at Jalandhar's district court.

In 1946 he was elected to the Punjab Legislative Assembly and appointed Minister for Development, Food and Civil Supplies. In 1947 he served as a member of the Radcliffe Commission which drew the boundary between India and the future Pakistan and divided Punjab's assets between the two new governments.

In 1952 he became a member of the Rajya Sabha (the Upper House) and Nehru appointed him Minister of Works and Housing in the central government. In 1954 and 1955 he led the Indian delegations to the UN Economic and Social Council and after he won a seat in the Lok Sabha (Lower House) in 1957 Nehru appointed him to increasingly senior Cabinet posts. He served for five years as Minister of Steel, Mines

and Fuel, going on to be Minister of Railways, 1962-63, and of Food and Agriculture, 1963-64.

In 1960 he negotiated a comprehensive border agreement with Pakistan and the following year led the Indian delegation in a series of discussions with Pakistan on Kashmir. These, although fruitless, were noted for the degree of cordiality Singh achieved with his opposite number.

On Nehru's death in 1964, Shastri became Prime Minister and initially made Singh Minister for Industry and Supply. Like Nehru before him, Shastri initially retained personal control of foreign affairs so that when, later in the year, he moved Singh to the Ministry of External Relations, Singh became the first Indian, other than a Prime Minister, to hold independent charge of the foreign affairs portfolio. Singh quickly established a reputation as a skilled and tough international negotiator and he retained the post when Shastri's death in 1966. Mrs. Gandhi became Prime Minister.

Diligence, modesty and simplicity were the hallmarks of Singh's personality. He never allowed malice or anger to rule him but always maintained a calm and courteous demeanour. His unruffled mannerism contrasted sharply with the mercurial outbursts of Zulfikar Ali Bhutto, the Prime Minister of Pakistan, when they were representing their respective countries on the Kashmir issue at the UN.

One of the few occasions when Singh resorted to dramatic gestures was in 1965 when he took exception to Bhutto's hectoring and led the Indian delegation out of the Security Council. It proved more effective than even he might have imagined as Kashmir has never subsequently been discussed by the Security Council.

When Indira Gandhi imposed a state of emergency on the country in 1975 and abridged civil rights, Singh was entrusted with the task of suggesting constitutional reforms incorporating Mrs. Gandhi's socio-economic philosophy. Many of the suggestions he headed have been incorporated in the 42nd constitutional amendment, which was pushed through during the emergency. However, his reputation was tarnished by his support for Mrs. Gandhi's authoritarian regime of that period.

Shortly after Mrs. Gandhi lost the 1977 elections Singh split with her and became the president of the splinter Congress Group known as the Congress (S). The Congress (S) was almost wiped out in the 1980 election and Singh returned to Mrs. Gandhi's Congress (I). But he was never again entrusted with an important charge.

Swaran Singh is survived by his wife and four daughters.

## PROFESSOR JOHAN HEYNS

Professor Johan Heyns, former Moderator of the Dutch Reformed Church in South Africa, was murdered at his home in Pretoria on November 5 aged 64. He was born at Tweeling in the Orange Free State on May 27, 1928.

AS A young theology student in Europe, Johan Heyns for the first time in his life came into contact with blacks who, he realised, were his equals. "I had grown up with blacks who were always socially, culturally and academically beneath me," he said years later. "In Europe I met blacks who were on a similar level and I realised that the colour black need not be a symbol of inferiority." He went on to play a leading role in moving the Dutch Reformed Church — the Nederduitse Gereformeerde Kerk (NGK) — away

from the racist theology which had caused its division into segregated white, Coloured (mixed-race), Indian and African sections. Racially segregated worship had been introduced in 1881.

Johan Heyns's own change of heart culminated at the General Synod of the NGK in 1966, when he was elected Moderator of the General Synod, which promptly declared that apartheid had no justification on biblical or ethical grounds and had to be rejected. But his conversion was an enigmatic one. He was no Beyers Naude — the NGK cleric who was denounced, defrocked, banned and put under house arrest for his outspoken opposition to apartheid. By contrast, Heyns remained intensely active in both Church affairs and Afrikanerdom. At the time of his death he was vice-chairman of the Afrikanerbond, the

successor to the secretive Afrikaner Broederbond to which he had also belonged and which, with the NGK, guided the National Party before and after it came to power in 1948 in implementing its racial philosophy.

While Beyers Naude chose to resign from the NGK and the Broederbond and to join its segregated black "daughter" church, Heyns identified his role as that of an incremental reformer, working from within. As his influence grew in the 1980s he found himself caught between two bitterly opposed positions — that of the conservative *verkrampies* in the white NGK and the increasingly outspoken ministers of the black and Coloured churches.

When P. W. Botha, the State President, imposed a nationwide state of emergency, Dr Allan Boesak, the Coloured minister who had



been appointed president of the World Alliance of Reformed Churches and from which the NGK itself had been expelled, called on Heyns to support widespread protest against the government's edict forbidding any campaigning for the release of detainees.

But Heyns declined and his explanation was typical of his dilemma. "It is not the task of the Church to campaign against any laws, even if they are unjust," he said. "The task of the Church is to protest against unjust laws."

Johan Adam Heyns was born on a farm at Tweeling in the Orange Free State and studied at the universities of Potchefstroom and Pretoria before going to Europe, where he completed his doctorate in theology at the Vrije Universiteit of Amsterdam in 1959. On his return to South Africa he served as a minister in Cape Town but soon embarked on an academic career as a lecturer in theology at Stellenbosch University. In 1966 he was appointed Professor of Theology at Pretoria, a position he held until his retirement last year.

His rise within the NGK hierarchy began in 1979 when he was elected to the Moderature, but three years later he lost his position for speaking out against the Mixed Marriages and Immorality Acts, which forbade marriage and sex across the colour line. However, in 1983 he was elected Moderator of the conservative Northern Transvaal Synod of the NGK, and in 1986 Moderator of its General Synod for a four-year term.

It was the 1986 synod that adopted a 15-page document, pioneered by Heyns, that rejected any justification for apartheid on scriptural grounds and declared that membership of the NGK should be open to all. It confirmed the fears of the Church was being led by a

liberal and Heyns became increasingly involved in confrontation with them, although black firebrands continued to be unimpressed by what they regarded as the Church's laggardly moves towards more liberal policies.

But in 1989 Heyns led an NGK delegation to a meeting of the Church's entire southern African family, which included the Coloured and black churches. At this meeting the NGK confessed with "humility and sorrow" its part in the introduction and legalisation of apartheid and declared, for the first time, that apartheid was a sin and a heresy.

Last month Heyns attended the NGK's 1994 general synod at which it was resolved to cooperate with its segregated daughter churches in forming a single, multi-racial Church. The synod was addressed by President Nelson Mandela, the first head of state to make such an address, and the synod gave him a standing ovation. But for Heyns the most poignant moment came when he declared its regret that "prophets" such as Beyers Naude had been so badly treated. Heyns, the one NGK leader who never lost touch with Naude through his years of banishment, house arrest and persecution by the State, led the applause and the subsequent singing of the Church's most sacred hymn of praise, "Last Heir, U seen op om daal" (May the Lord bless you and keep you).

Heyns said he would not be making himself available for re-election as vice-moderator but was looking forward to retirement. He is survived by his wife Rene and three sons.

## DEATH OF PRINCESS CHARLOTTE

It is asserted by those who have certainly the means of knowing, that when Her Royal Highness was taken in labour, no symptom occurred that created any serious alarm in the minds of her medical attendants — all men of long experience in their profession. But towards the evening of Tuesday, as the labour was very lingering, and the interval between the different pains much longer than usual, the attendant physicians deemed it advisable to send for Dr. SIMS, in the apprehension that it was possible that artificial assistance must be resorted to. Dr. SIMS arrived with the greatest speed, but saw no reason to depart from the course already pursued; and thought like the others, that the labour would have a happy termination. The delivery at last took place: the child indeed was stillborn, but her Royal Highness exhibited no symptoms of alarming indisposition; on the contrary, she was perfectly tranquil; and even the distressing intelligence of her dead child was received by her with resignation, and an expression of pious submission to the will of Heaven. Her Royal Highness then seemed inclined to sleep; this, perhaps, might be the effect of mere exhaustion; but as it was unattended by any of the usual characters of serious illness, it was construed into a favourable circumstance.

## ON THIS DAY

November 8 1817

Charlotte Augusta, the only child of George, Prince of Wales (afterwards George IV) and Caroline of Brunswick, was born on January 7 1796. An early engagement to William, Prince of Orange, was broken off at her insistence. And in May 1816 she married Prince Leopold of Saxe-Coburg (Queen Victoria's avuncular adviser). She died on November 5 after giving birth to a stillborn son.

As we yesterday stated, the first alarming symptom occurred about 12 o'clock, when her Royal Highness felt a difficulty in swallowing some gruel, at the same time complaining of being chilly and of a pain in her chest. The Prince was immediately called up, and was soon at the bedside of his beloved consort. The two medical assistants from the room near room instantly joined Sir R. CROFT, and every remedy which their united skill could devise was sedulously applied. Her Royal Highness is stated to have remained sensible to the last minute of her life. She was

taken with dangerous spasms about one o'clock; upon ascertaining which, Dr. BAILLIE sent off an express to the Cabinet Ministers, expressing his doubts with respect to the event. Prince LEOPOLD remained by the bedside the whole time, endeavouring, as much as possible, to disguise from his suffering consort the grief and agony he felt at the unexpected turn that had taken place. Her Royal Highness, it is said, scarcely ever moved her eyes from the face of her beloved partner, extending her hand frequently to meet his — that hand which was, in one short hour, to be cold, insensible and lifeless. About five minutes before her death, the Princess said to the medical attendants, "Is there any danger?" They replied, that they requested her Royal Highness to compose herself. She breathed a gentle sigh, and expired.

The agony of Prince LEOPOLD at this moment may perhaps be conceived — it cannot be adequately described. He has ever since appeared like a man bereft of all emotion, and the agony of his mind will not allow him to take his needed rest. He has declined the considerable offer of the PRINCE REGENT to leave the immediate scene of his affliction, and to take his abode at Carlton House. He purpose to attend the funeral in person. It will take place at Windsor, and be accompanied with the same solemn ceremonies as were observed when the late Princess AMELIA was buried. The bodies of the mother and son will be deposited together in St. George's vault. The Dean of WINDSOR has been sent for to give the necessary directions for preparing a

## PERSONAL COLUMN

## FLIGHTS DIRECTORY

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Air Force warehousing is a billion-pound operation

## RAF flies high with the best

NAME the British organisation with £4.5 billion worth of stock tied up in its warehouses. The answer: not one of the high street multiples, but the RAF.

Now the RAF is trying to streamline what is one of the largest logistics operations in Europe, and has placed a £4.5 million contract with Siemens Nixdorf Information Systems to develop and implement WTMS, its warehouse and transport management system.

The contract comes after the success of a study carried out by Nixdorf, at a cost of £500,000, into the WTMS requirements. It will enable the RAF to make big savings in its complex warehouse and distribution systems. The WTMS project is part of the first series of systems being developed to meet the RAF's ten-year logistics information-technology strategy. The go-ahead to start the development and implementation stage was given after a thorough appraisal of the latest systems available.

Wing Commander Sandy Jack, the RAF's project manager for WTMS, says: "Originally, the WTMS contract was procured by the Ministry of Defence's director-general of information-technology systems, and was won in competition with 30 other companies. Siemens Nixdorf successfully met its targets during the study phase. We look forward to working with the company in the supply and installation of the software and hardware."

Siemens Nixdorf is one of the country's leading providers of computer-based solutions for major government and public-sector contracts. It has already won contracts from the Ministry of Agriculture Fisheries and Food, the Home Office, the Department of Social Security, the Lord Chancellor's Department and the Department for National Savings.

The RAF has always been able to use its own internal and secure communications system to support its huge logistics operations, but sophisticated communications are now being used by



Supplies leave the RAF's main Stafford logistics centre

the private sector, which has invested more than £1 billion in information technology and telecommunications each year since the start of the 1990s. These services are regarded as indispensable business tools, leading to improvements in convenience, productivity and efficiency, and a sharpening of the competitive edge.

The integrated supply chain, recognised in retail and distribution sectors as a central pillar for business development in the 1990s, is reliant on the fast electronic flow of data and voice links between organisations. Accuracy of information is vital for efficient logistics, providing managers with constantly updated status on the consignments. BT works with several leading companies, including the NFC Group, Allied-Pickfords, P&O, Royal Mail, TNT, Swift Transport Services and Securicor, to develop information technology and telecommunications for the issues faced by the logistics industry and to provide services tailored to match individual operators' needs.

Allied-Pickfords, NFC's international removals operation, has used the C-Sat vehicle tracking system, which offers customers up-to-the-minute information about delivery. With no sin-

gle terrestrial communications system able to cover all of Europe, Allied-Pickfords used to have difficulty tracking its continental vehicles once they left Britain. It relied on drivers calling from payphones to pick up messages or report problems.

Satellite-delivered communications now keep Allied-Pickfords in permanent, two-way contact with its vehicles, wherever they are in Europe, allowing schedules to be fine-tuned. Allied-Pickfords, based in Enfield, can alert customers on the Continent to problems in advance. Breakdown services can be called out if a driver runs into mechanical trouble, allowing the driver to stay in the cab instead of needing foreign currency change and a telephone box. The operator can also direct drivers to pick up customers' goods that are often organised at short notice, so improving both the fleet utilisation and its efficiency.

As part of further moves towards improving information flow, TNT has invested £6 million in the UniVerSE (Uniform Versatile System for Europe) project to move all the company's existing operational, administrative, sales and financial computer systems to a higher level of technology.

DAVID YOUNG

The on-time industry is planning well ahead, says  
**Derek Harris**

Logistics, which has built the approach to efficient distribution and delivery into a £100 billion industry, is likely by the turn of the century to undergo further radical change.

Cranfield Centre for Logistics and Transportation, part of Cranfield University School of Management, has led a survey of 200 logistics experts throughout Europe to establish a broad-based forecast of how the industry is likely to develop.

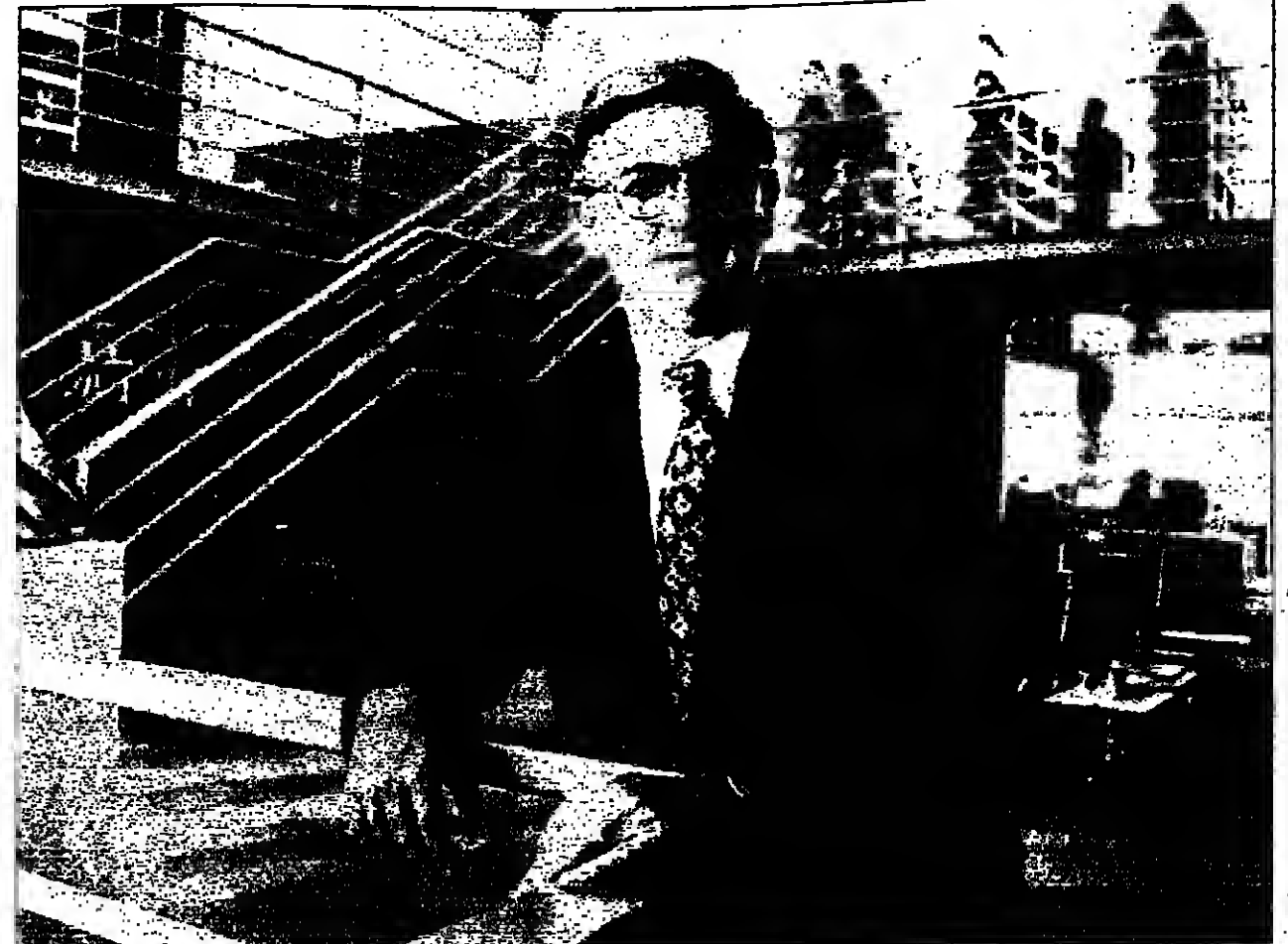
Logistics has come a long way from its origins in largely uncentralised haulage and warehousing. Leading superstore groups often contract out distribution transport and dedicated warehousing to specialists such as NFC (with its Exel Logistics) and Christian Salveson. Food is kept at three different temperatures, whether warehoused or on the road, and not only is prime condition assured but stock levels within the system are kept to a minimum.

The use of electronic data interchange (EDI) is a crucial element. Via computer links, suppliers are on line to a superstore chain, so stock ordering proceeds on a series of forecast demands, which can be fine-tuned a matter of hours before food leaves fields, farms or depots. In some instances, the system enables invoicing and even payments to be made electronically.

EDI plays a big role in some non-food retailing sectors, including do-it-yourself. The latest logistics systems have also been exploited by motor manufacturers as a basis for achieving just-in-time arrival of components at car plants. Electronic goods manufacture, from televisions to video-cassette recorders, has also benefited.

The Cranfield survey nevertheless suggests that on average EDI is used for inter-company applications in only 15 per cent of cases. This covers a wide range, from high usage among the big superstore

# Delivering the goods



Professor James Cooper: "Logistics systems will be driven by the need to satisfy the consumer's exact requirements"

chains to extensive areas of manufacturing, usually involving medium-sized and smaller companies, which so far are largely non-users. An influence in slowing the usage of EDI, however, is that there are four different systems which, for the moment, cannot easily be interconnected.

The pan-European assessment in the Cranfield study is that by the year 2001 there will be EDI links for about half of those supplying manufacturers and retailers.

The survey cautions: "In key areas of supply, not being geared to EDI implementation represents a potentially serious threat to competitiveness." At the same time, lead times on deliveries are expected by 2001 to be cut to 78 per cent of 1991 levels.

The survey also foresees logistics creating a "flexible fulfilment" of users' needs. Many companies install new systems, then, as snags arise, adapt them. A fully researched, precision approach to getting things right first time will be demanded, especially as the new century imposes a need for a customised approach to products.

Professor James Cooper, who is director and Exel Logistics Fellow at the Cranfield centre, collated the survey. He says: "Under flex-

ible fulfilment, logistics systems will be driven by the need to customise, to satisfy the exact requirements of the consumer both in terms of production configuration and service.

"Each product could be unique in its specification in some business sectors, and customers will want to exercise their preference on how it reaches them much more than they do now. That they get it their way will be a competitive necessity in the 21st century."

Motor manufacturers are already a long way down this road, he points out. Examples include Nissan, where varied seat finishes arrive from the nearby supplier in line with the demand of the factory's master production schedule.

The same result has been achieved at Jaguar with headrests sourced in France, by having a logistics contractor control the sequence to meet the factory's production needs.

Rover, now part of Germany's BMW, has developed just-in-time techniques with

the help of TNT Logistics, part of the TNT distribution group, which delivers components and assemblies direct to the production line at the new Longbridge factory in Groveley Lane to tight and controlled time scales. EDI and bar-code systems are used to achieve a replenishment cycle of four hours, from the point of an initial Rover request to delivery at the production line.

A fleet of TNT vehicles brings components from hundreds of suppliers to a distribution centre. The operation also services other Rover manufacturing sites at Cowley and Solihull.

Professor Cooper says: "Consumer electronics as a sector is well advanced, influenced by the high degree of competition, but the same picture is emerging in business equipment."

A computer maker will now produce a customised computer system for delivery within a couple of days. A manufacturer wanting to offer a choice of hard disks made design

changes which allowed the customisation to be carried out at a distribution centre, just before delivery to the customer, rather than its being done at the factory.

Companies using third-party distribution contractors list flexibility as the most important element they seek, because customers expect that ahead of improved service and reduced costs, according to Ken Roberts, the European development director of Beck & Pollitzer, another logistics arm of TDG. Mr Roberts is involved in the manufacturing sector, where there is now a big emphasis on quality of people, especially in operational areas.

Mr Roberts says: "To provide a high level of customer service, contractors must employ the best people, which means having exacting recruitment standards and staff trained to meet stringent operational requirements."

Pressures for change are also charted by Tony Walford, director in Europe for the logistics arm of America's UPS (United Parcel Service). Globalisation of trade, led by multinational companies, requires, he says, global logistics solutions. And a trend is developing to service a number of countries from single, big warehousing complexes.

**Contractors must employ the best, which means high recruitment standards**

## 'It all seemed horrendous'

New logistics systems which have already boosted sales for Johnson Seeds in Lincolnshire are about to propel the family-run business into a mail-order expansion. It should make Johnson undisputed leader in Britain's annual £49 million seeds market, according to Richard Johnson, the chairman and managing director, who is the fifth-generation head of the business.

Yet when the early version of a computerised data analysis system was set up at the company, Mr Johnson thought it all a "horrendous mistake". It turned out to be a problem of finding the right person to get an efficient system working. When that was sorted out, with the appointment in 1991 of Phil Mansbridge as information-technology director, improvements came through.

Last year, sales rose by 7 per cent, pushing turnover to £14 million. Johnson's 10,000 customers now include J. Sainsbury and Asda in grocery, Texas in DIY, many garden centres and small outlets such as post offices.

Mr Johnson says: "The Sainsburys of the world have taught us how to become more efficient, how to respond more quickly to customer requirements and to make sure we meet delivery schedules right on time. But none of this would have been possible without our new system, which the multiples now use to find out what they have been selling. With electronic point of sale and electronic data interchange (EDI) links with the multiples, they are interacting with our business, giving up marketing information which, extended, we can feed back to them."

The old system threw up seeds information only about the main types — flowers, vegetables, peas and beans. "All you knew," says Mr Johnson, "was that a customer had bought 25 units of flower seed. But we wanted to know what type of flowers. Now, when customers are

New systems boosted sales but getting them to work was difficult



Richard Johnson at the Johnson Seeds plant: more efficiency

supplied for a new season, orders can be tailored in the light of what they have sold in the past season. Getting the likeliest bestselling mix is especially important because in seed retailing supplies go out on a sale-or-return basis, so trimming waste is a key target.

This month, Johnson is launching its first mail-order catalogue with an initial distribution of 320,000. It will sell by telephone and the plan is to deliver seeds in days rather than the weeks which have been the industry norm.

Mr Johnson says: "We think we will be able to attract a new generation of customers to mail order who want speedy response, thus increasing the size of the sector."

Traditional buyers have been accustomed to planning purchases well ahead and ordering in good time for eventual delivery.

The expansion should increase Johnson's sales by 14 per cent, the company estimates. Though late to enter the mail order sector, it believes its system-backed marketing approach will give it an edge on its main competitors, all of them already with such operations. The other leading seeds producers are Unwin, Sutton, Mr Pothergills and Thompson & Morgan.

Johnson estimates that industry-wide, mail order accounts for about 13 per cent of market share. Garden centres are the biggest seed sellers,

with almost 40 per cent of market share; the DIY multiples account for more than 15 per cent and grocery multiples 10 per cent.

Johnson is one of 11,000 British companies reaping the advantages of EDI techniques, the biggest single group of users being the grocery chains. Substantial users include Tesco, J. Sainsbury, Safeway and Asda.

A recent recruit has been Souterfield, formerly trading under the Gateway banner. Tesco, with about 1,350 suppliers and distributors plugged into its network, is at the centre of the largest EDI community in Europe.

Food retailers are keen users of the new logistics systems because they face one of the toughest challenges. Car makers use logistics so that the right part arrives on the production line almost to the minute. But that is a more predictable business than it is for grocers, which have to replenish as fast as possible: the products customers have just bought. A quick response is called for on top of good forecasting of demand.

The wide use of barcodes and their scanning at checkouts provides an item-by-item check on stock sold, making fast response possible as part of a sophisticated stock management system.

Dave Macmillan, Tesco stock management director, says: "EDI is helping to take out the guesswork over demand and forecasts from the ordering of goods. We now provide suppliers with a combination of historic demand data and forecast demand, showing what happened with the previous 13 weeks' plus current stock on hand and up to 13 weeks' detailed forecast demand."

"Such data can be used to plan production schedules and make sure changes in demand are identified in advance. This helps our suppliers to reduce lead times."

DEREK HARRIS

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International hauliers are starting to enjoy new flexibility in operations between Britain and the Continent, says Rodney Hobson

# Profits at both ends of tunnel

International freight hauliers sending loads to and from the Continent have never had it so good. The opening of the Channel Tunnel to wagons in July provides a new flexibility and, in the case of large operators, more muscle to bargain on freight rates. Despite Eurotunnel's need to generate cash after the year-long delay in its opening, it says it is determined to maintain premium rates for what it sees as a premium service compared with the slower ferry journey.

John Chapman, UK freight sales manager, will not be swayed by potential customers who change backwards and forwards between Eurotunnel and the ferries, trying to get them to undercut each other. He says: "We have been prepared to walk away rather than lower our prices just to chase volume. Some hauliers expected us to come down to the ferry prices, but we have a pan-European strategy. Our representatives can go to potential customers in Gothenburg, London, Stuttgart or Istanbul and offer them the same rates for the same volume of traffic. They all sing from the same hymn sheet."

"We don't know what the ferries are charging, although we have built up a dossier and we can make an estimate. We offer what we think is a reasonable price for the benefits our service brings."

"There is a lot of capacity around



A Parcelforce lorry gets ready to board Le Shuttle at Folkestone. Eurotunnel says it is determined to maintain premium rates for what it considers a premium service

Mr Chapman says: "Parcel operators offering next-day delivery understandably want to leave their collection cut-off point as late as possible. It gives them an edge if they can collect an hour later in Britain and still deliver by the start of the next working day on the Continent. The same applies to European parcel services when they send packages over here. That's where we come in useful."

"Our service also helps companies with regional distribution centres, such as supermarkets who want perishable goods as fresh as

possible. Producers can supply fruit to Covent Garden or fish to Boulogne, where wholesalers expect the goods to be available at 5am."

"Manufacturers such as the car industry need to deliver components from one production line to another. There are many examples where traffic has to be loaded at the end of the day's work and taken somewhere else for the next day's work."

"That happens in both directions. We can offer a later cut-off time. In some cases, they turn up at Folke-

stone or Calais at 3.30am and still reach their destination on time."

He believes that Friday evenings are quieter because many companies want to avoid overtime payments for weekend working. Sunday evenings for Monday morning delivery tend to be busier.

He says: "Sunday night is very busy. We get a lot of Irish traffic that has crossed into the UK with meat, dairy produce and fish for the Continent. You should stand by the side of the M20 on a Sunday night. You will see no end of Irish lorries."

However, Mr Chapman believes

that the trend to seven-day shopping will help to spread the load more evenly through the week.

Mr Rees says: "You cannot look at one route in isolation. Hauliers want to cross between Ireland and Wales, from Dover to Calais or from the east coast to Scandinavia. We can book them all in one ticket and package different services in a way the tunnel can't. We have experts to advise on exceptional loads or hazardous goods."

Estimates of what percentage of freight traffic has been captured by Eurotunnel is a contentious issue.

Eurotunnel claims 10-12 per cent. Indeed, when Sir Alastair Morton, co-chairman, presented the annual results last month, he claimed that the ferry companies' own figures suggest that Eurotunnel's share was nearer 18 per cent. Mr Rees reckons that with Stena carrying 1,200 vehicles a day between Dover and Calais, P&O achieving a similar figure, Meridien running from Folkestone and Boulogne, and Sally Line carrying from Ramsgate, Eurotunnel has only about 5 or 6 per cent of total traffic on the short crossings.

## Forgotten heroes

Purchasing managers control huge budgets

The often forgotten men and women of the logistics chain can move markets as well as goods. They are the purchasing and supply managers who can each spend £100 million or more every year to keep the wheels of industry moving, Rodney Hobson writes.

Kim Godwin, for example, is logistics manager of Sony Broadcast & Communications. He is responsible for an annual procurement spend of £600 million. Peter Hill is director of purchase at Nissan Motor Manufacturing, another Japanese group with operations here. His role is crucial because the materials and components Nissan buys account for 80 per cent of a car's cost.

Both are directors of the Chartered Institute of Purchasing & Supply, which has



Kim Godwin: £600m task

buying in goods and services, or how much is spent on storage and distribution.

A survey of 400 managing and finance directors found that one in five believed that no savings could be achieved by better management of the supply chain, and more than half thought any savings would not exceed 4 per cent of purchasing costs.

The institute is stepping up its drive to improve standards by offering its professional qualification through more than 100 higher education institutions. It says there is an upsurge in interest in universities and colleges to start courses on managing supply chains.

The University of Bath already has a professional chair in logistics. The institute is sponsoring a chair in strategic purchasing and supply management at Birmingham University and is working with Durham University on a similar scheme. The institute hopes to have ten chairs in place by the end of this decade.

Last month, the institute linked with CRT, a leading training company, to provide courses leading to National Vocational Qualifications.

The monthly report from a panel of 250 purchasing and supply managers in manufacturing companies has become a key economic indicator. It includes information on the prices of different materials, suppliers' delivery times and the amount of goods being purchased and stocked.

The Purchasing Managers' Index is seen in the City as an accurate barometer of the health of the manufacturing sector: a peak of the figures in August and September, for example, sent the stock market tumbling on fears that the economy was overheating.

Environmental considerations are finally forcing a basic rethink of transport systems

## Shunting the train back into favour

A chilling note has been struck by the Royal Commission on Environmental Pollution. The main thrust of its proposal to double the price of petrol over the next ten years was aimed mainly at curbing the private motorist, but there is no doubt that a radical rethink of the way in which goods are distributed would be needed.

grow even faster than that by road. The commission urged the Government to negotiate within the European Union for a levy on fuel. It called for domestic flights to be discouraged in favour of roads.

As James Cooper and Christian Heller at Cranfield Centre of Logistics and Transport reported in a freight study: "Across Europe, railways have been steadily losing market share to road in the freight transport sector. The flexibility and low cost of road proved to be an irresistible combination to shippers. Yet there are signs that the tide may turn. Increasing levels of road congestion and the prospect of road pricing seem likely to make road a less attractive option in the future."



Sir John Houghton: not anti-lorry

The commission wanted the amount of freight going by rail to rise from 6.5 per cent in 1993 to 20 per cent in 2010. It said higher taxes and tougher regulation would be needed to reduce the adverse effect of lorries. Even so, the commission's proposals are only a holding operation. It hopes merely to restrict road traffic to present levels instead of seeing it double over the next 30 years. The view of air transport was no less serious. Air traffic is likely to

have advantages over road-only transport in external costs, environmental protection and energy consumption. However, combined transport, they said, was generally at a disadvantage because of the heavy cost of maintaining the railways.

Some initiatives in getting freight back on to the railways for part of the journey had been taken on the Continent. They cited, for example, Intercontainer, a subsidiary of 24 European railways that carries international container freight. Another example is piggyback transport, where whole lorries or trailers are carried by rail.

The report said that three events in recent years had breathed new life into competition among combined transport operators. First, the rigid demarcation, that left container traffic with the national railways and piggybacks in the private sector, was banned by the European Commission. Second, an EC directive gave third parties the right of direct access to railway networks. Third, major European railway companies such as British Rail and Deutsche Bundesbahn were moving towards privatisation.

Dr Cooper and Mr Heller said: "Combined transport is now the most liberal area of railway operations and all combined transport operators are trying to expand their markets."

There are challenges to be met in developing combined

transport systems. One was pointed out by Mike Newman, traffic and customs manager for Ford of Britain, the car maker. He said: "A multinational, multimodal transport network must provide the client with a single point of accountability, one person who oversees the service; one person who, if there is a problem, can resolve it with the appropriate organisation within the link. The nominated person must be identified clearly, and he or she must be recognised by all parties to the contract with the customer as having full operating responsibility and accountability for the entire system. This concept is already recognised in the international road haulage and air freight business, but will be more difficult to implement in combined transport. Since the marketplace perceives the combined transport operation as a group, the success of this group will stand or fall by the success of the weakest link in this group."

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## NEWS

## Atlantic field boosts oil reserves

■ The future of Britain's oil production moved into the treacherous waters of the Atlantic when the Government approved plans for the development of a huge field west of the Shetland Isles.

It is part of a new oil province, which is reckoned to contain 3.5 billion barrels of oil, adding more than a third to estimates of Britain's existing reserves. Tim Eggar, Minister for Industry and Energy gave the go-ahead for the development of the field by BP and Shell. Pages 1, 2, 19, 27, 29 and 31

## Tory rebels force Euro-budget retreat

■ Rebellious Tory backbenchers have forced the Government into a tactical retreat over Europe only days after derailing Post Office privatisation. Britain is not now expected to ratify the European budget agreement by the end of the year. Page 1

## Post office inquiry

The Government's wounds over its abandonment of Post Office privatisation are to be reopened in public at a Commons inquiry by the trade and industry select committee. Page 2

## Student harassment

Four out of five women studying at Oxford University have been the victims of sexual harassment, ranging from teasing to obscene telephone calls and rape, according to a survey. Page 1

## Court threat

A second judge threatened to order the Health Secretary to appear before him to explain why a hospital bed could not be found for a defendant. Page 3

## Navy man's disgrace

A commander in the Royal Navy who has suffered from post-traumatic stress disorder since his ship was sunk in the Falklands war was dismissed the service for theft. Page 3

## Charge reduced

Three British soldiers accused of killing a tour guide in Cyprus have had their charge reduced to manslaughter. The original charge was pre-meditated murder. Page 5

## War disabled

A sad footnote to the fiftieth anniversary of the D-Day landings was the disclosure of a tenfold rise in applications for war disability pensions. Page 6

## US votes after ugliest campaign

■ The third of the American electorate that can still muster the enthusiasm to vote will today elect a new Congress and 36 state governors after what has been the ugliest, meanest and most irrational campaign in memory. The big question is whether the results will be an unmitigated or merely mitigated disaster for President Clinton. Campaign reports, pages 14 and 15

## Ferry faults found

Government safety experts have been ordered to step up inspections on ferries after one in three roll-on roll-off vessels operating from British ports were found to have faulty doors. Page 7

## Students in debt

Half of all graduates who have taken out student loans are too poor to make repayments or are failing to meet their debts, official figures have disclosed. Page 5

## Flood toll reaches 59

The number of people killed in devastating rainstorms in northern Italy rose to 59 amid a mounting outcry over the speed of the relief agencies' response to the disaster. Page 11

## Clubbed to death

Three Western hostages murdered by Khmer Rouge guerrillas were clubbed to death, a foreign source close to the investigation has said. Page 12

## Somalia war fears

Somalia's warlords are preparing to announce rival governments within days, moves likely to lead to renewed civil war as the UN scales down its forces in the region. Page 13

## Curb on mahogany

Tough trade restrictions are being proposed for Brazilian mahogany, a wood whose biggest European importer is Britain. Page 13



Michael Heseltine, the President of the Board of Trade, at the CBI conference in Birmingham yesterday when he painted an optimistic portrait of the British economy and pledged that the Government would not "blow it away". Pages 1, 9 and 26

## BUSINESS

Output recovers: Industrial production has bounced back, confirming that exports and higher investment are keeping industry buoyant despite a weakening in consumer spending. Page 25

Norwich outback: The Norwich Union insurance group plans to axe 2,000 jobs over the next five years. Page 25

On the runway: BAA plans to invest £1 million a day over the next 10 years upgrading and increasing capacity. Page 27

Markets: Renewed fears of another rise in interest rates in Britain depressed shares, with the FT-SE 100 index of leading shares falling 31.8 points to 3,065.8. The pound fell 10 cents to \$1.6167 but rose 15 pence to DM2.4504. Page 28

## SPORT

Football: Warren Barton, the Wimbledon defender, is one of three uncapped players in the England squad for the match against Nigeria at Wembley. Page 48

Cricket: Graham Gooch scored 101 to help England to achieve the opening first-class win of their Australian tour, by four wickets against South Australia. Page 46

Motor racing: Damon Hill, challenging for the Formula One world championship, is seeking an improved contract from his team for next season. Page 44

Rugby union: Saracens, leaders of the second division, have been drawn away to Harlequins in the fourth round of the Pilkington Cup. Bath, the holders, visit London Scottish. Page 46

Ludwig Wittgenstein: For 30 years scholars have squabbled over the rights to publish the philosopher's work: now two rival teams are engaged in a race. Page 16

David Mellor: "There are only two words public figures need to speak when the tabloids start trawling in their private lives. One is 'No' and the other is 'Comment'." Page 16

Alzheimer's disease: Dr Thomas Stuttaford on the illness that has hit Ronald Reagan. Page 17

A case for television: How the cameras were allowed for the first time in a British court. Page 37



**TOMORROW**  
**IN THE TIMES**  
■ **STAR PROFILE**  
Why Hollywood hunk William Hurt turns to character acting in his new film  
■ **FASHION ALERT**  
What the American designers say you will be wearing next summer



Bigger and better: Until now, the media razzmatazz surrounding the Turner Prize has contrasted oddly with the modest size of the accompanying exhibition of the shortlisted artists. So the 1994 show at the Tate Gallery — with more space than ever before — deserves a welcome. Page 33

High star: Eleanor Mciver and Carol Scanlan have compiled a series of revue sketches which put a fanciful face on life in Belfast. In *Jon May Sparks*. But the result is disappointing. Page 34

Many happy returns: This week the Royal Ballet celebrates the understated genius of its founder choreographer, the late Sir Frederick Ashton, on the 90th anniversary of his birth. But is it a case of too little, too late? Page 35

It is possible that a fair number of the endangered liberal candidates will win this week. But the trend of the nation's politics is clear enough. It is away from the philosophy of government, and the only question is whether we are witnessing a drift or a torrent. — *The Wall Street Journal*

You do not have to subscribe to the living saint view of Mother Teresa to see in the Channel 4 programme shortly to appear about her an example of profoundly unconstructive journalism. — *Evening Standard*

Since the end of the Cold War there has been a rash of romances between American men and Russian women. *Network First: The Russian Love Connection* (ITV, 10.40pm) Page 47

## New entrant

The case for evolutionary reform of the Lords is that, contrary to the caricature of the Upper House, it is becoming more important. It continues to be a powerful brake on the power of the Government in the Commons. Page 19

## Fiscal pantomime

Perhaps the electorate will be seduced by a Government that simply gives back in 1996 and 1997 the money it took away in 1994 and 1995. But Mr. Clarke, and his colleagues, should not bank on it. Page 19

## Elephantine success

In a continent where governments are weak, and many corrupt, the odds are against the elephant surviving even a partial resumption of trade in its carcass. Page 19

## GRAHAM MATHER

Employers are seeking better qualified workers with better education and skills, for jobs that pay more. Such jobs are globally viable, but too many European thinkers are wedded to the protection of underperforming state monopolies, the vocationalism of unemployment in low-productivity public sector jobs and the smugging out of differentials in terms and conditions. Page 16

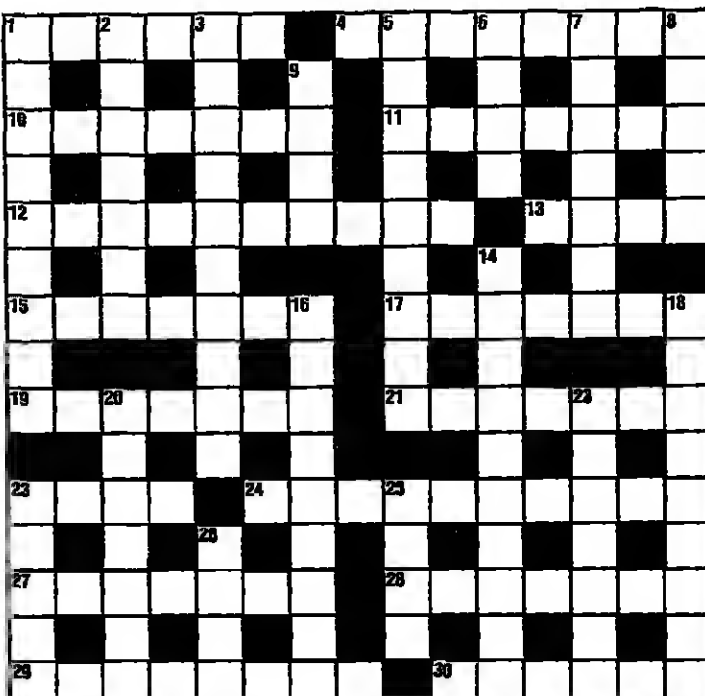
## ALAN CLARK

Students' views on law and order would make your hair stand on end. They are founded, it seems, on Zoroaster's precept that "it may be necessary to kill fifty thousand in order that fifty thousand may live in safety and peace". And the red-der the brick, the harder the reactionary line. Page 18

Sir Patrick Dorn, former Ambassador to Washington, Swarthmore College, Indian cabinet minister, Professor of Law, McGill University, Moderator of the Dutch Reformed Church in South Africa. Page 21

Mail organisation failure; team spirit at school. Page 19

## THE TIMES CROSSWORD NO 19,694



- ACROSS**
- Property located in a large vessel (6).
  - Fellow sailor finally becomes joint first officer (8).
  - Helping a lot? (7).
  - Clergyman deprived of one church (7).
  - Canal cited mistakenly as non-essential (10).
  - It's just part of a Byron lyric (4).
  - Artificial aid available for a tanner? (3-4).
  - Obscure scholar covering the French problem (7).
  - "Tis the voice of the —, I heard him declare" (Carroll) (7).
  - Sounds like a city's devices for securing prisoners (7).
  - Cloak and sort of shirt rejected in the past (4).
  - Way in which garment is put on society sportsman (10).
- DOWN**
- Evaluation of top artist is accepted by a friend (9).
  - A contest held by Poles for an Arab (7).
  - Innocent bystander violently hit on way to social (5,5).
  - Clumsy man he'd had replaced (5-6).
  - A small glass? Forty would be grand (4).
  - Man improperly receiving acting award? It means the opposite (7).
  - London costermonger quietly departs ahead of time (5).
  - Familiar author soon identified (4).
  - Versatile type taking run with a couple of students (3-7).
  - Church people going into fragment of old manuscript (9).
  - Day's rules — broken without doubt (9).
  - Major transaction? I'm not impressed (3,4).
  - The incentive for a single legislator in France and America (7).
  - It is forbidden to set about a native Australian (5).
  - Old politician's husband wearing topie (4).
  - E.g. Shakespeare's determined intention (4).

## Solution to Puzzle No 19,693

ASSESS ASPIRANTS  
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## ARTS 33-35

Short shrift for the genius of Frederick Ashton



## SMALL BUSINESS 36

Arts and crafts furnishes a career



## LAW 37-42

The cases come into your living room

FIRST BLOOD TO ENGLAND CRICKETERS Sport 43-48

# THE TIMES

BUSINESS EDITOR Lindsay Cook

TUESDAY NOVEMBER 8 1994

## Insurance shake-up fells 2,000 Norwich Union jobs

By ROBERT MILLER

NORWICH Union, Britain's third-largest insurer, yesterday confirmed that it is to cut 2,000 jobs from its workforce of 10,000 over the next three to five years. This follows the loss of 600 of its pensions sales staff earlier this year after an investigation by Laidlaw, the life industry regulator, found training and competence at Norwich Union to be below standard.

Insurance companies have axed thousands of jobs this year, and the process is expected to accelerate as new commission disclosure rules come into force on January 1. The pensions industry is also under a cloud after a report last month by the Securities and Investments Board into mis-selling of personal pension plans, for which the sector faces a £2 billion bill.

From January 1, pension and investment advisers, whether company representatives or independent financial advisers, will have to disclose how much of an investor's premium goes as commission. Company representatives will also have to disclose how much support they receive. This could include medical insurance, telephones and product literature.

In a memo to staff yesterday, Allan Bridgewater, chief executive of Norwich Union, said: "To remain competitive and a leader in our chosen markets, we have to further improve the quality and value of our products and services for our customers. This means the priority for the group over the next three to five years is the vital need to achieve productivity and efficiency gains of around 40 to 50 per cent... Whilst it is not possible to be precise, we believe that in overall terms UK job numbers over the three to five year period will reduce by around 15 to 20 per cent."

A spokesman for the Association of British Insurers said: "The public are now looking much more closely at pensions and investments before they commit themselves. There is a lot more competition from other savings vehicles, such as personal equity plans. In turn, this has forced life companies to take a much harder look at the composition of their sales forces."

A few weeks ago, the Prudential, Britain's largest insurer, announced that it was shedding about 240 administrative jobs. Two years ago, it halved its branches to 180. In September, Legal & General said that it expects to halve the number of sales managers in its financial consultancy division to 100 by the end of next year. Its commission-only sales staff will fall from 2,000 to about 1,000.

Charles Landa, insurance analyst at SGST, the broker, said: "All life companies are looking at their product portfolios and expenses ahead of full commission and cost disclosure next year. Clearly there are more job cuts in the pipeline."

Pennington, page 27

### BUSINESS TODAY

STOCK MARKET INDICES		
FT-SE 100	3065.8	(-31.8)
FT-SE All Share	4155.18	(-12.89)
Nikkei	12825.18	(-122.34)
Dow Jones	3804.16	(-3.35)
S&P Composite	482.20	(-0.08)

US RATE		
Federal Funds	4 1/4%	(4 1/4%)
Long Bond	8 1/8%	(8 1/8%)
Yield	8.17%	(8.16%)

LONDON MONEY		
3-month Interbank	6 1/4%	(6 1/4%)
Libor long gilt	100 1/4%	(101 1/4%)

STERLING		
New York	1.6180	(1.6180)
London	1.6189	(1.6115)
DM	2.4488	(2.4508)
FF	8.4025	(8.4080)
SF	2.0494	(2.0488)
Yen	157.14	(157.25)
£ Index	80.6	(80.6)

DOLLAR		
London	1.5138	(1.5140)
DM	5.1855	(5.1818)
FF	1.2679	(1.2679)
Yen	97.22	(97.45)
£ Index	61.4	(61.5)

NORTH SEA OIL		
Brent 15-day (Jan)	\$16.85	(\$17.15)

GOLD		
London close	\$383.00	(\$383.95)

\* denotes midday trading price

### Tax talk at CBI

Delegates at the Confederation of British Industry's conference were told that Britain's tax system should be overhauled, to encourage companies to reinvest profits rather than pay them out as dividends.

Page 26

### BAA takes flight

BAA unveiled plans to spend £1 million per day over the next 10 years on 1,000 construction projects as a surge in passengers and retail spending sent half-year profits at the airports group soaring.

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### L&G faces record \$8m fine

By ROBERT MILLER

LEGAL & General faces a record \$8.75 million fine by Texas insurance regulators for allegedly mis-selling life insurance policies to pensioners as investments via Banner Insurance, L&G's US subsidiary. Javier Padilla, a Texas Department of Insurance staff attorney, told Banner that as well the proposed fine he is recommending compensation be paid to "Texas victims of alleged misrepresentation."

Mr Padilla added: "Hundreds of Texas senior citizens were duped into buying what they thought was a savings investment. It turned out to be a flexible-premium adjustable life insurance or universal life insurance policy."

Banner denied any "significant" mis-selling of its policies in Texas except in "a few isolated cases" and said that in such instances restitution had been made.

Will Davis, Banner's counsel, said: "The proposed fines are absurd and without merit given the facts in this case."

## Industry output bounces back

By JANET BUSH, ECONOMICS CORRESPONDENT

BRITISH industrial production bounced back in September, confirming that exports and an investment upturn are keeping industry buoyant, despite weaker consumer spending.

Output, including North Sea oil, jumped by 1.1 per cent compared with August. In addition, the Central Statistical Office revised its original August estimate of a 0.1 per cent decline to a 0.1 per cent rise. Manufacturing rose by 0.6 per cent in September and August's 0.3 per cent was revised to zero.

The strength of industry's performance, foreshadowed by recent survey reports from the Confederation of British Industry of rising orders and demand, was seized on by inflation hawks. The economics team at James Capel said third-quarter gross domestic product figures were likely to be revised upwards from initial

water supply. Manufacturing, though, more buoyant than was believed to be the case in August, still seems to be slowing, according to Hoare Gossett, the stockbrokers.

Treasury officials said the figures showed that the economy was still advancing on a broad front. They noted that the strongest manufacturing growth was in investment goods.

In the past three months, production of investment goods has risen by 1.8 per cent, compared with the previous three. By comparison, growth in production of consumer goods has been half that rate - 0.9 per cent.

This is good news for the economy, Kenneth Clarke, the Chancellor, and Eddie George, the Governor of the Bank of England, recently expressed satisfaction over the fact that consumption growth was slowing and exports and investment were making the running. Both are determined not to see a re-run of the 1980s, when the consumer boom sucked in imports and led to huge trade deficits.

Yesterday's production figures coincided with the latest economic outlook from the London Business School. This says the rebalancing of demand could lead to current account surpluses by the late 1990s. It predicts a current account deficit of only £2.4 billion next year, falling to £1.4 billion in 1996.

It estimates that manufacturing output, with a recovery in investment and continuing export growth, powered by recovering economies in Europe, could grow by 4.5 per cent this year and 5.6 per cent in 1995.

Despite the increasingly encouraging balance of economic growth, the Bank of England is still likely to be concerned about the pace of the recovery.

It emphasised its view, when advising the Chancellor to raise base rates in September, that the year-on-year growth rate of more than 3.8 per cent in the second quarter was far too high to be sustainable.

That dropped to 3.6 per cent in preliminary third-quarter figures but some economists believe the figure could be revised upwards again.

### Big drop in new credit

Separate figures released by the CSO yesterday showed that net new credit taken out by British consumers in September was £479 million, well down on August's £632 million.

Initial estimates of 0.7 per cent growth and that the "case for a near-term base rate rise is compelling".

However, the CBI, holding its annual conference in Birmingham this week, disagreed. Kate Barker, the CBI's chief economist, said yesterday's figures did not significantly change the picture. There was no need for an immediate rate rise and no sign yet of general upward pressure on inflation.

Ms Barker noted that CBI surveys pointed to sustained expansion in manufacturing. Signs of price increases were limited to certain sectors and there was no guarantee that companies wishing to raise prices would actually be able to do so.

Some City economists argued that yesterday's figures were flattened by record oil and gas production and large gains in electricity, gas and



Alan Michels, left, and Stephen Davidson, finance director, published a pathfinder prospectus yesterday to restart TeleWest's flotation plans

## TeleWest launches City charm offensive

By MARTIN WALLER, DEPUTY CITY EDITOR

BRITAIN'S biggest cable TV operator could be valued at up to £1.86 billion once it is floated on the stock market, depending on the outcome of an intensive marketing campaign starting today in the City.

That is the top value advisers to TeleWest have put on the company in the pathfinder prospectus. It would be equal to a price of 190p a share.

At the other end of the scale, advisers

have put a price of 165p a share and £1.61 billion on the business which is the minimum they believe the company to be worth. But they emphasise that if bids for the shares fail to reach that figure the issue may still go ahead.

An attempt to float the business in May was halted, the company blaming turbulent stock market conditions. But TeleWest, which supplies 2.8 million British homes or one in four of the population who already take cable, says it returns with two significant advantages: higher-than-expected de-

mand for its telephony services, and successful quotations since for two other British cable companies in America.

Alan Michels, chief executive of TeleWest, forecast that the first dividends could be paid in 1998, although he said it was up to the company whether earnings should be distributed to shareholders or used to fund further expansion into cable franchise areas. But the prospectus indicates that operating losses deepened in the first nine months of this year by 68 per cent

to £31.6 million, against the comparable period last year. Advisers have also been required to include seven pages listing the various exceptional risk factors attaching to the float.

Neither of the two US parents, TCI and US West, are selling shares and each will have 37 per cent once dealings start on November 22. The company is raising between £330 million and £380 million, depending on the price achieved, in fresh funds.

Pennington, page 27

## APB compromises over 'going-concern' rules

By GRAHAM SEARJEANT, FINANCIAL EDITOR

AUDIT regulators have backed away from a confrontation with companies over new rules to give better assurance that companies will not go bust without warning.

A new auditing standard, *The going concern basis in financial statements*, issued by the Auditing Practices Board, avoids any definition of "the foreseeable future" in new obligations imposed on company boards and auditors to establish that a company's accounts can presume that it will remain solvent.

In earlier drafts, issued in May 1992 and December 1993, the APB said auditors should satisfy themselves of directors' assertions that a company would be solvent until at

least the time the next accounts were approved. But the working group set up by the Cadbury committee on corporate governance wanted the period limited to the end of the financial year.

Under a cost-saving compromise agreed by both sides, there will be no minimum period. But directors will be obliged to disclose "if the assurance based on their budgets is for less than the 12 months between the signing of one set of accounts and the next. Auditors will also have to satisfy themselves that the period used by the directors is long enough, giving them additional influence."

In a further change designed to keep audit costs

down for small firms, auditors will not need to demand and vet written evidence backing the directors' published views. But they can do so.

Michael Boyd, chairman of the APB's going concern working party, said the changes did not represent any weakening of the original proposals but a more flexible, less bureaucratic approach. Under the standard, auditors will for the first time have to take positive steps, as an intrinsic part of their audit, to confirm that a company is likely to be able to continue in business without having to go into liquidation or shrink drastically. This will put more onus on auditors' liability in the event of sudden collapses.

## Finance chief to leave electricity company

By OUR DEPUTY CITY EDITOR

DAVID Myring has announced his departure from the board of South Wales Electricity, the second finance director to leave a regional electricity company in a week.

South Wales said that the departure was amicable and would take place next summer. Mr Myring joined in 1988, one of the first appointments made from outside the electricity industry ahead of privatisation. Mr Myring receives no pay-off, but holds share options worth £138,000 at the current South Wales share price if exercised. He has indicated that he does not intend to take up full-time employment elsewhere, and his departure is being treated by South Wales as early retirement.

Wynford Evans, chairman of South Wales, said that Mr

Myring had played a leading part in negotiations earlier this year with the industry watchdog, the Office of Electricity Regulation.

In an unrelated move a week ago, John Astall, finance director of neighbouring Manweb, covering North Wales and the North West, announced his departure without compensation.

Manweb has said of Mr Astall's departure only that he was not fitting comfortably with the company's style. He had been with the company for three years. His abrupt decision to leave meant he loses out on a potential £315,000 pay-off on his three-year rolling contract and another possible £250,000 profit he would have made on share options had he remained.

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## JOHN CHARCOL

TALK ABOUT A BETTER MORTGAGE



## CONFEDERATION OF BRITISH INDUSTRY CONFERENCE IN BIRMINGHAM

## Britain is squeezed out

AT THE conference business leaders fretted about Britain's place in Europe. Perhaps a greater concern ought to have been Britain's place in the world. If an executive stress squeezeball given to delegates by Brook Street, the employment bureau, was any guide, portrayed as a globe, it showed the world's land masses - but left out the British Isles.

## Déjà Vu

THE numbing tradition of opening the conference with an embarrassing corporate video continues. Many delegates were sceptical that they could top the success of previous years, when they were treated to naff 1970s glam-rock waiting from David Bowie, but the planners rose to the challenge. Against a video flashing slogans such as "Market Forces" delegates were treated to an ersatz version of the Beatles.

## DELEGATES DIARY

"Revolution" with its 1968 references to Chairman Mao, street-fighting violence and "minds that hate". As the lights came up, blinking delegates detected a note of bemusement in Sir Bryan Nicholson's opening words: "It is 40 years since I first came on business to Birmingham and it is always a pleasure to come back."

## Virtually there

DISAPPOINTMENT among staff at Hewlett Packard, conference sponsor. On Sunday night Robin Cook, Labour's new foreign affairs spokesman, expressed great enthusiasm to try out their virtual reality display. They duly turned up at 7.30am yesterday to give him a turn before he addressed delegates at breakfast. But Mr Cook, perhaps awakening to the unfavourable image he would present wearing a coal-scuttle headset, failed to materialise.

PHILIP BASSETT

## Reform of company taxation demanded

Industry thinks the present system encourages high dividends rather than investment, says Ross Tieman

BRITAIN'S tax system should be overhauled, to encourage companies to reinvest profits rather than pay them out as dividends, the conference was told. Fiscal incentives could help to eliminate UK companies' investment shortfall and the lag in productivity and quality compared with overseas rivals, Tony Hales, the chairman of the CBI's national manufacturing council, told delegates.

"We need to look carefully at the taxation system, to ensure we are providing the right incentives for investment in all its guises," he said. "The tax system at present favours distribution of profit as dividends, rather than retention for investment; a bias that is wrong." The CBI has already begun a campaign for increased investment incentives, particularly for small and medium-sized enterprises that face higher financing costs than larger companies.

By questioning the structure of the tax system, Mr Hales, the chief executive of Allied Domecq, the drinks group, will cause a stir among City institutions. In papers drawn up for the conference debate on strengthening British manufacturing, the CBI focuses on the impact of dividend payments on fi-

ancing costs. It reports that the ratio of dividend payments to profits has been higher in Britain than in other industrial countries, though it fell last year as profits started to recover from recession.

One paper concludes: "The evidence reinforces our view that the tax system needs to be more favourable to investment." It says there is a growing case for higher capital allowances, especially for small firms, reform of capital gains tax and, ultimately, a lower rate of corporation tax.

Mr Hales said CBI studies had shown that while British companies were improving on many fronts, they continued to invest too little in capacity and innovation. "We may still have capacity in traditional product areas, but we must now invest more in plant and people, to broaden the product base in new areas," he said. Industries had to "continue to deliver good and reliable returns to our financial investors". But growth should receive a higher priority.

A substantial shift in company dividend strategies would have repercussions for fund managers. Income funds depend on high payouts to meet their obligations.

CBI reports, page 9  
Own Business, page 36

CBI

Companies invest too little in capacity and innovation



Tony Hales's views are likely to cause a stir in the City

## Sony unit in Liverpool will create 250 jobs

SONY is to set up a computer games development centre in Liverpool, creating 250 jobs, it was announced yesterday.

Sony Electronic Publishing Ltd, which will develop products for the company's computer games market across Europe, will be based at the city's Wavertree Technology Park. The development is going ahead with a £1.75 million grant from the Department of Trade and Industry.

Michael Heseltine, President of the Board of Trade, welcomed the announcement. "This is a major breakthrough," he told the CBI. Jonathan Ellis, joint managing director of Sony Electronic

Publishing and Sony Psychosis, said: "We are delighted to be able to expand our operations in Liverpool."

The new centre will develop next generation computer games. The £4 million Wavertree park was developed by English Partnerships in a joint scheme with Liverpool City Council.

London-based Sony Electronic Publishing is wholly owned by Sony Music Entertainment UK Group, a subsidiary of Japan's Sony Corporation. The giant Japanese manufacturer has a number of plants in Britain, including a television factory which employs 1,400 people in Wales.

## Delegates call for transport upgrade

By OUR INDUSTRIAL CORRESPONDENT

THE Government's failure to provide British industry with adequate transport infrastructure and properly trained workers provoked prolonged criticism from delegates at the conference.

Despite widespread recognition that the recovery is firmly established, business leaders remain profoundly disgruntled about the poor state of Britain's roads and railways. Although they hesitate to lay all the blame at the Government's door, delegates are bleakly aware that from being one of the most prosperous countries in Europe, Britain is now one of the laggards.

Alf Gooding, chairman of the Gooding Group, an engineering concern, said 30 years ago he felt rich when he took his family on holiday to Europe. Now, when he went to Germany, his wife could scarcely afford to go shopping. From being 15 per cent ahead of France and Italy in value added per hour in 1979, Britain was now 15 per cent behind, Mr Gooding said.

And in a surprise move that wrong-footed Sir Bryan Nicholson, the CBI president, Mr Gooding asked delegates to raise their hands if they would be willing to pay a 5 per cent increase in corporation tax to fund a modern railway for Britain. More than a third showed their support.

Mr Gooding, a member of the CBI's National Manufacturing Council, called for a tripartite partnership between government, industry and the City to rebuild Britain's industrial competitiveness. And he called on the Government to impose a levy on employers to fund training, and ensure that good employers, who train staff, are not obliged to subsidise those who do not.

In his appeal for more government spending on infrastructure, Mr Gooding clearly caught the mood among delegates. Because the Government has responded to many of industry's other concerns, poor infrastructure has become one of the most consistent concerns among industrialists.

## City set to stay ahead of rivals, studies show

THE City is likely to retain its place as the financial centre of Europe, according to two reports published by the City Research Project. Stefan Szymanski, economics lecturer at Imperial College Management School, found that despite a 40 per cent increase in employment in financial services in the UK between 1982 and 1992, the growth occurred without an explosion in wage costs.

A second report by Robert Goffee, professor of organisational behaviour at the London Business School, found that 60 per cent of training budgets in the City is allocated to "professional and technical specialists", but on-the-job experience remains a significant mechanism for the acquisition of technical skills.

## Beckenham suspended

SHARES of Beckenham Group, the USM-quoted engineer, have been suspended for the second time in a year. The suspension, at 14p, is at the company's request pending clarification of its financial position. The shares were last suspended in December, at 25p. The following month, the company announced a reconstruction, placing and rights issue at 25p a share to raise £5 million, and said that the alternative was insolvency, which would leave shareholders little hope of recovering anything. The reorganisation left Tapul, a Malaysian company, with 99 per cent of the equity.

## Gartmore move into US

GARTMORE, the investment management group, is moving into the US with a joint venture with NationsBank of North Carolina, the country's third-biggest bank. As part of the deal, Gartmore will take over £420 million of UK institutional funds currently managed by NationsBank's Prime Investment Management in London. Gartmore currently has £20.6 billion funds under management. Under the joint venture arrangement, NationsBank gains the option to buy a 101 per cent stake in Gartmore for 200p a share. Gartmore's shares rose 5p on the news, closing last night at 179p.

## IBM-Apple alliance

IN A move designed to make IBM and Apple computers compatible, the two companies, along with Motorola, yesterday announced an alliance on a common way to build PCs. The partnership hopes to roll back the overwhelming dominance of Intel microchips and Microsoft software. Apple predicted that the PowerPC microprocessor developed by the three companies would become the industry standard, and that it would mean computers capable of using several operating systems. Users would be able to bring their old software programmes with them on to the new system.

## Balloon firm deflated

THE hot air balloon company which built the craft used in Richard Branson's first Atlantic crossing, and which holds several world records, has called in the receivers. The joint administrative receiver Andrew Peters, of Touche Ross, the accountancy firm, said the Airborne Group was in difficulties after an airship development programme cost £1.5 million and its subsidiary, £2.5 million, and other problems had drained resources. Mr Peters said he hoped the company and its two subsidiaries would be sold as going concerns without job losses.

## Call for VSEL inquiry

LABOUR called on the Government to refer GEC's £532 million bid for VSEL to the Monopolies Commission. David Clark, its defence spokesman, wrote to Malcolm Rifkind, the Defence Secretary, to demand that the Government's "golden share" in the submarine builder be exercised. The Government had been "preaching the virtues of competition in the defence industry for the past decade", he wrote. Now was the time to "put the policy into practice". He added: "A GEC takeover would destroy competition in large warship building and also put at risk the future of Yarrow."

## TOURIST RATES

Bank	Days	Bank	Sells
Australia \$	2.29	2.10	
Austria Sch	18.19	18.89	
Belgium Fr	53.43	49.23	
Canada \$	2.26	2.13	
Cyprus Cyp	0.782	0.732	
Denmark Kr	10.20	9.40	
Finland Mk	8.18	7.49	
France Fr	8.09	8.18	
Germany Dr	2.80	2.38	
Greece Dr	332.00	367.00	
Hong Kong \$	13.12	12.12	
Ireland Pt	1.06	0.98	
Italy Lira	2805.00	2450.00	
Japan Yen	172.00	155.00	
Malta	0.522	0.567	
Netherlands Gld	2.890	2.650	
Norway Kr	11.28	10.46	
Portugal Esc	201.00	242.50	
S Africa Rd	res.	5.40	
Spain Ptas	211.50	197.00	
Sweden Kr	12.50	11.70	
Switzerland Fr	2.19	2.01	
Turkey Lira	1652	58467.0	
USA \$	1.712	1.562	

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

## ABF hit by fall in investment income

By SARAH BAGNALL



Weston: lower rates

A SHARP drop in investment returns was behind a fall in underlying profits at Associated British Foods, the bread, cereal and sugar group, in the year to September 17. Garry Weston, the chairman, said the 4 per cent profit fall, from £338 million to £324 million, was largely due to the fact that investment income was down from £83 million to £21 million.

Mr Weston said: "About £34 million is attributable to fall out of the exceptionally high returns achieved in 1993 and to lower average interest rates applicable in 1994." The balance was the result of financial uncertainties and of turbulence in world bond markets in the first half.

The slide in profits was in line with market forecasts, as many of the group's

cash balances are invested in gilts. Net cash at the year end was £655 million, of which £45 million was for a special dividend. The balance of £610 million is £109 million more than last time.

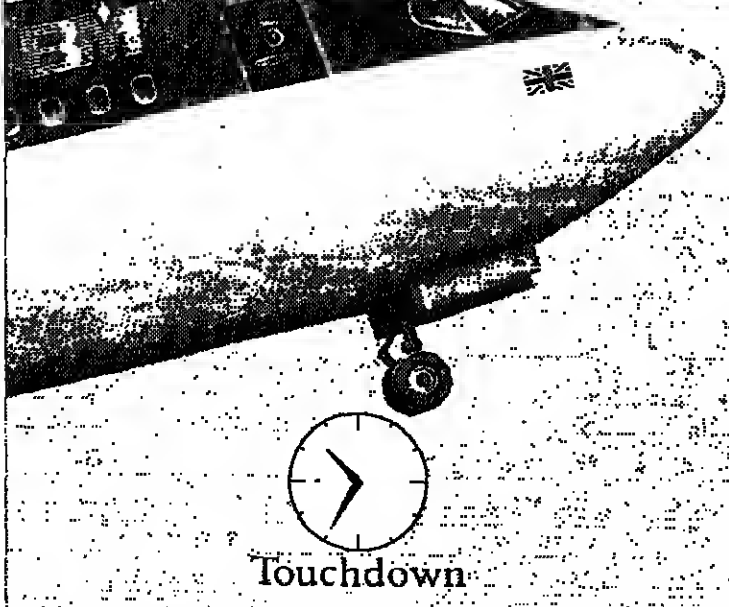
However, the scale of the fall in investment returns prompted some analysts to cut current-year forecasts. Tim Potter, of Smith New Court, downgraded his pre-tax profit forecast from £332 million to £320 million.

The final dividend, which will be paid on March 2, was lifted by 1p, to 7.5p, making a total of 16p, up 1p from last time. The dividend is being paid out of underlying earnings of 56.7p a share, up from 50.7p last time. Shareholders also received a special dividend on October 14 of 10p a share. The shares fell 9p to 557p. Sales rose 2 per cent, to £4.5 billion. The

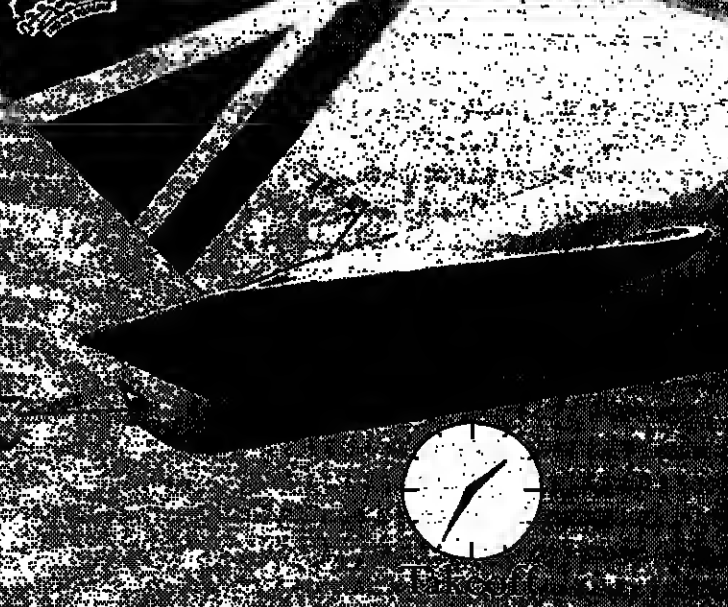
manufacturing division lifted profits by £20 million, to £259 million, on sales up slightly at £3.2 billion. UK manufacturing lifted profits by 11 per cent, to £222 million, helped by lower reorganisation costs of £13 million, down £3 million from last time. Mr Weston said British Sugar had lifted profits by 3 per cent, to £167 million, on a lower harvest than last year. The European businesses performed in line with expectations, in spite of the particularly difficult trading conditions faced by the crispbread, biscuits and frozen foods operations.

The retail division, mainly in Northern Ireland and the Republic of Ireland, lifted profits from £34 million to £47 million, on turnover up £100 million to £1.3 billion.

Tempos, page 28



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## HIGHLIGHTS OF THE HALF YEAR ENDED 30 SEPTEMBER 1994 (UNAUDITED)

Group revenue £1,771m up 5.3%

Pre-tax profit £265m up 11.8%

Earnings per share 19.2p up 12.3%

Interim dividend of 4.25p up 14.1%

Passenger traffic up 7%

BAA

HELPING BRITAIN TAKE OFF



□ Competing in a tougher insurance market □ Play it again TeleWest □ Oiling the Government's wheels

## Reforming the Norwich way

COMPETITION is really hitting in insurance. The mighty Norwich Union needs to cut a fifth of its staff just to make sure it will be able to take on new business profitably. Admittedly, Norwich Union had become something of an administrative dinosaur, combining life and general insurance in an unwieldy mutual structure. But if a well-financed industry leader needs such drastic reform, lesser lights are clearly going to find themselves painted into an uncomfortable corner unless they change or merge.

Traditional insurers are being attacked on many fronts. In general insurance, low cost direct line underwriters such as Direct Line are setting the pace, making it hard for companies relying on traditional outlets to compete. Banks and building societies are setting up their own operations, not exclusively in life and pensions. This closes some distribution channels as well as providing low cost competition, even if banks have not yet been forced to pass their low costs on to customers. Disclosure of life assurance selling costs will put heavy pressure on companies to cut them. And the unfolding pension follies, which obliged Norwich Union into embarrassing lay-offs and retraining programmes in its unhappy exercise in employing its own sales-

people, have cut business for the industry as a whole. Norwich Union has been trimming costs, but not as fast as it has lost business. On its own conservative accounting, acquisition costs are so high that new life business is currently unprofitable. It relies overwhelmingly on the shrinking ranks of brokers and independent financial advisers for its business. That structure has worked well for most of its 200 years, but made it harder to streamline costs to compete with new greenfield operators.

The economies, planned over three to five years rather than as a crash exercise, centre on information technology to cut internal costs but also the cost of selling by brokers. The group is bringing in cleverer systems but also reorganising to use existing systems more effectively to halve the direct costs of selling. Most of the 2,000 jobs going will be among clerical managers and operators of paper systems, some of which existing duplicate computer systems because of mismatches with brokers. Paper systems are costly and

allow mistakes to creep in. But they also involve layers of checks and doublechecks that will go under computerised systems close to the selling process. The much smaller numbers operating computer systems will therefore have to take more responsibility and be more highly trained.

Norwich Union was never likely to be among the majority of life companies that industry insiders reckon will have to stop selling policies within the next decade. The extent of the challenges it is facing up to will be too much for the weaker or more hidebound.

### Making the City connection

THE main threat to the success of TeleWest's second stab at a flotation looks to be the attention span and powers of comprehension of the average fund manager.

TeleWest is the closest thing the British cable industry has to a blue-chip stock. It is the biggest and the one furthest down the

### PENNINGTON



line in developing its franchises. About a third of the network is up and running, or at least the cables are in the ground, even if customers may not have actually been offered the service.

Those existing franchises will be 80 per cent complete by 1997, at a cost that is easy to predict, and theoretically 100 per cent built two years later. At this stage, TeleWest can no longer be considered to be a greenfield venture, but a utility on a par with a water or electricity company or BT — with one significant difference. We all need water and power, and most of us a telephone, but no one "needs" the entertainment and advanced telephony services on offer from cable.

It is the rate of take-up for these that remains the significant variable impossible to calculate at this stage. The indications from the pathfinder prospectus are not good. The rate of "churn," or switch-off from existing customers, was running at one home in two for TV over the past year.

The company blames a poor marketing strategy and claims it is now corrected, which is asking the City to take a great deal on trust. More reasonably, TeleWest emphasises that the churn rate in telephony falls to little more than one customer in ten for business lines.

The price the business fetches, within the limits set in the pathfinder, will mainly depend on the extent advisers can persuade the City of the accuracy of their read-across value for TeleWest. This is an arcane calculation that attempts to strip out all the variables within the different cables businesses and arrive at an adjusted value per potential customer, which can be multiplied accordingly. In the event, the float will probably succeed, but more from the

bandwagon effect, with institutions unwilling to be left out, than based on any coherent calculations of worth.

### Good news gusher

IN the barren wastes of the Atlantic Ocean, 120 miles west of the Shetland Isles, a small band of Conservative politicians were engaged in a desperate search. Battered by the continual howls of the Opposition over the sleaze affair, blasted by the backlash from the collapse of the Post Office privatisation, they knew they could not fail.

Then it happened. Almost unwittingly, the industry minister hit a rich vein of good news and suddenly the entire media was drenched in stories of a second North Sea oil bonanza.

The existence of the Foinaven oilfield has been known for more than four years, so yesterday's fanfare from the Department of Trade took the oil industry by surprise. The entire field will be difficult, dangerous and expensive to exploit, and while it could

have reserves of up to 3.5 billion barrels, BP only expects to produce 85,000 barrels a day, 4 per cent of current North Sea output.

That should not detract from the effort it will take to bring this oil ashore. It will take all the lessons the British oil industry has learnt from the North Sea and more. Foinaven would hardly be economic at all if the industry had not reduced operating costs by up to 30 per cent in recent years. At least the development of floating platforms should keep operating costs low, leaving the field less exposed to fluctuations in the oil price than the atrocious weather. When the oil finally starts pumping from Foinaven, it should be the oilmen that take all the applause not a government department in need of some good news.

### Rich ingredients

TREBLES all around at Allied Domecq. It is hard to remember the last serious competitive auction ahead of the trade sale of an unwanted and overlooked business such as Allied's food ingredients. The normal practice in such cases is to wind up both a management buyout team and a friendly broker to arrange a market flotation and see which clockwork mouse manages to cross the line first.

## BAA profits take off as passengers and shop sales soar

By CARL MORTISHED

A SURGE in passenger traffic and retail spending sent profits at BAA, the airports group, soaring to £265 million in the half year to September 30, up 12 per cent on the comparable period. Sir John Egan, the chief executive, said that the surge in traffic was only partly due to the effects of the recent rail strike.

"Gatwick experienced its two busiest days ever at the beginning of September," he said, and pointed to Stansted, which has handled 3 million passengers so far this year, making a profit before depreciation and interest of £45 million. "The airport has turned the corner in terms of profitability," he said.

The collapse of the Heathrow express tunnel would not have any significant impact on the company, said Sir John, and indicated that there was no evidence that New Austrian Tunneling Method, the tunnelling method adopted, was at fault. BAA built in four months' delay in its timing for completion of the tunnel in December 1997 and Sir John

said there was no reason why this should not be achieved. Revenue from shops in the terminals rose 9.2 per cent in the period, but BAA suffered low growth in revenue per passenger — spend per head rose 1.8 per cent — due to construction work in Terminal 1. Nigel Ellis, finance director, said that spend per head saw an uplift of 50 per cent when construction work ended in Terminal 4 and he expects the same pace of growth from work completed in Terminals 1 and 3.

BAA expects to spend £1 million a day over the next ten years on 1,000 construction projects, the largest of which is the fifth terminal at Heathrow. A planning inquiry for the project starts in May and Sir John hopes to open the new terminal in 2001-2. The new terminal will be built to handle an extra 30 million passengers compared with the 50 million capacity of Heathrow's existing facilities.

BAA's property revenues grew 9 per cent to £80 million in the period, mainly due to

completion of Compass Point, the new operations centre built for British Airways. BAA expects that development of new facilities for airline customers will initially depress rents at the airport but will in the long run attract new tenants. Capital expenditure rose 80 per cent to £201 million, increasing net debt for the group to £790 million from £739 million at the year end, leaving gearing at 30 per cent. Sir John said the group would not be asking its shareholders for funds unless a large acquisition was contemplated.

He said progress was slow, but the company had established offices in Australia to deal with the forthcoming privatisation of its airports. "We are looking for investments that will be as profitable as our existing ones. This is not about putting flags on a map." BAA is paying an interim dividend of 3.75p, up 11 per cent, out of earnings per share of 19.2p (17.1p).

Tempos, page 28



Terry Roydon, chief executive of Prowting, the housebuilder, says that the Chancellor should not raise interest rates

## Prowting's profits top £4m

By MARTIN BARROW  
CITY NEWS EDITOR

PROFITS of Prowting, the housebuilder, rose strongly in its first half, reaching £4.2 million before tax in the six months to August 31, from £200,000 previously. However, Terry Roydon, chief executive, said that the housing market remains fragile and urged the Chancellor not to increase interest rates.

Mr Roydon said: "None of us wishes to return to a boom-and-bust economy, but, nevertheless, I trust that interest rates will not increase further in the short term." If rates held firm, Prowting could expect to sell in excess of the 511 homes sold in the first half, leading to "a satisfactory outcome for the year," he said.

Earnings rose to 3.6p a share, from 0.3p. The interim dividend rises to 1.9p, from 1.7p, payable on December 1. The shares rose 1p, to 132p.

Turnover increased to £44.5 million, from £15.6 million, with the first full contribution from Galford Homes, and the average selling price improved slightly to £86,000. Operating profits rose to £5.76 million, from £1.5 million, representing 12.9 per cent of sales (9.8 per cent last year). Net borrowings were £24.9 million, with gearing at 35 per cent.

## Allied Domecq sale nets \$402m

By MARTIN WALLER  
DEPUTY CITY EDITOR

ALLIED Domecq, the worldwide drinks and retail group, has received an unexpectedly higher offer for its food ingredients business, which supplies dough and other bakery products to the big food manufacturers.

Kerry Group, the Irish dairy products combine, has emerged to pay \$402 million in cash for the business, which is mainly American but includes Margens Foods, the British fruit flavour and products

maker. The announcement comes less than a fortnight after Dalgety, another food manufacturer, emerged as one of a number of potential purchasers. It was widely seen as the frontrunner.

But Dalgety appears to have been outbid in an auction organised by Goldman Sachs International. Market speculation was that Dalgety's offer for the business, which trades as DCA Food

Industries out of New York, was less than \$20 million below the Kerry price. Allied will realise a total price of \$427 million, as agreement has also been reached for the

company to sell certain joint venture interests separately to a third party. Kerry has effectively agreed to pay 13.5 times historic earnings from the companies being bought. About two fifths of the Irish company's existing business is in food ingredients. It said that, in America, the deal would bring market leadership in a number of fast growing sectors of the food industry.

Kerry, which is quoted on the Irish stock exchange, is financing the deal mainly from debt, but there is a placing of shares to raise about £27 million.

### Financial Report

#### SKF Interim Report for the Nine-Month Period Ended September 30, 1994

SKF is the world's leading company in the rolling bearings industry, with a world market share of approximately 20 per cent.

SKF Group's consolidated income after financial income and expense for the first nine months of 1994 amounted to 1,141 million Swedish kronor, compared with a loss of SEK -709m for the corresponding period in 1993. Group sales increased 14 per cent to SEK 24,631m (21,521). The volume increase was approximately 12 per cent. Income for the third quarter totalled SEK 324m (-240). Sales during the third quarter amounted to SEK 8,003m (6,995).

As during the first half of the year, the increase in demand was strongest within the cars and trucks segment. The picture was the same in both Europe and the United States. However, the rate of increase in Europe showed signs of a slight levelling off. Domestic demand in Germany weakened somewhat, while exports increased. In North America, the heavy trucks segment continued to develop strongly, with no signs of any weakening in demand.

#### Results

Earnings per share after tax were SEK 6.50 (-4.35). Capital expenditures in property, plant and equipment totalled SEK 813m (596). At the end of September, the Group's inventories totalled 26 per cent (32) of annual sales. The return on capital employed was 11.5 per cent (-3.5). The return on shareholder's equity was 8.3 per cent (-19.7) and Group solvency was 28.2 per cent (25.6).

#### Forecast

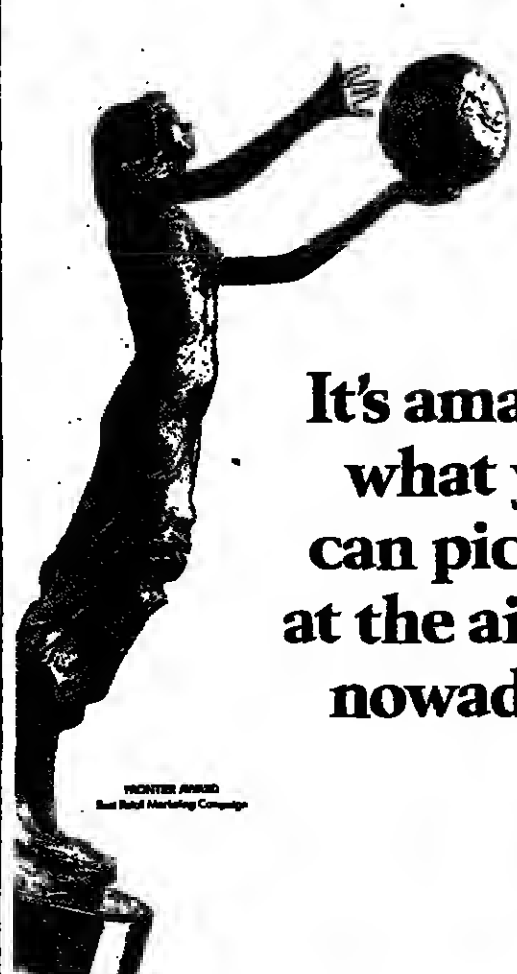
The SKF Group's income after financial income and expense for 1994 is expected to amount to approximately SEK 1.5 billion.

For a copy of the 1994 Nine Months Statement contact: SKF Group Public Affairs, S-415 50 Göteborg, Sweden. Tel: +46-31-37 10 00.

Average rate of exchange: January - September 1994 1 GBP = 11.83 SEK  
January - September 1993 1 GBP = 11.48 SEK  
July - September 1994 1 GBP = 11.83 SEK  
July - September 1993 1 GBP = 11.43 SEK

AB SKF

SKF



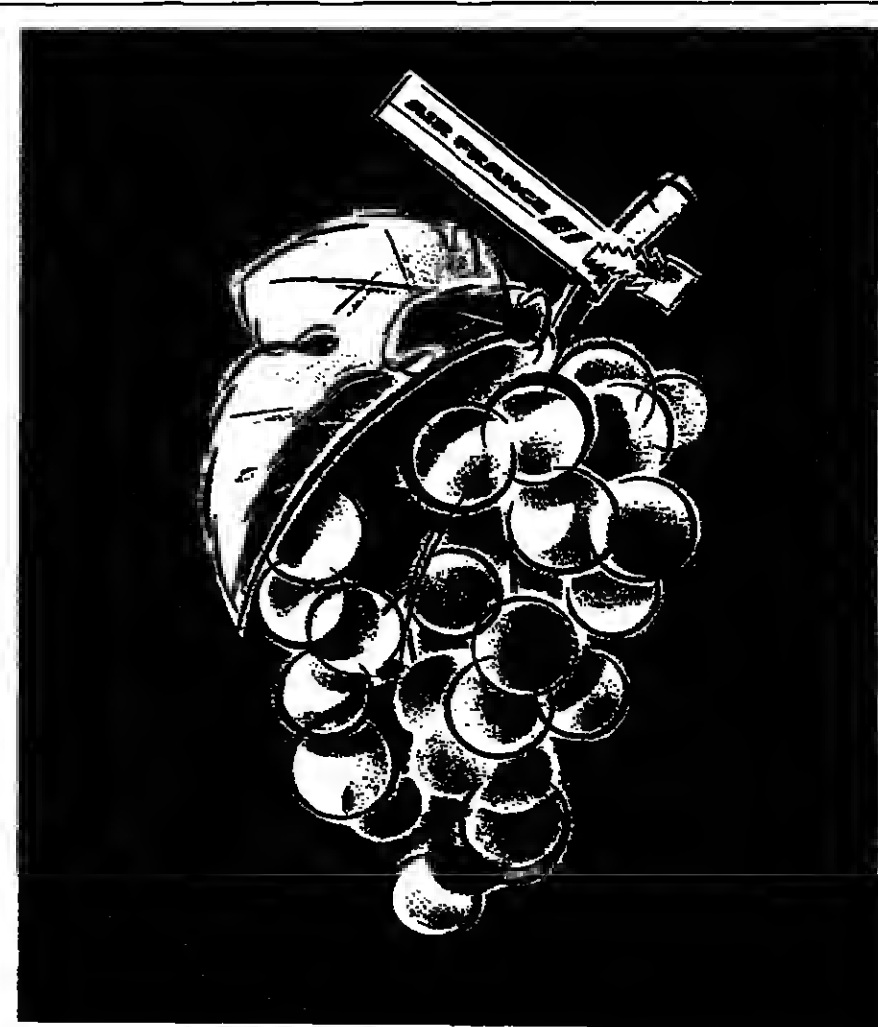
It's amazing what you can pick up at the airport nowadays.

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BAA



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STOCK MARKET

PHILIP PANGALOS

# Shares take a tumble as rate-rise worries bite

EQUITIES in London took another tumble as turnover levels remained near to record lows amid renewed fears of higher interest rates on both sides of the Atlantic.

Investors remained on the sidelines, deterred by the real prospect of US interest rate increases next week, after the inflationary implications of last week's employment and pay data. The malaise gripping the London market was heightened after confirmation that UK industrial output is showing renewed growth. This fuelled fears that domestic costs may rise sooner rather than later, with widening concern that a rate rise before the new year looks increasingly likely.

Futures and bonds were also weaker, further depressing the cash market, though there was little selling pressure. Investors also stepped aside ahead of today's US congressional elections and the Fed rate-setters' meeting on November 15.

A negative start on Wall Street further dampened sentiment in London, and the FTSE 100 index closed near its low, sliding 31.8 points, to 3,065.8.

Of greater concern is the fact that turnover remains at depressing levels, with Friday's and yesterday's totals the two lowest this year. Volume reached only 336.8 million shares, way below the 500 million to 600 million required for investment houses to break even. City analysts believe that the picture is unlikely to improve significantly ahead of the Budget at the end of the month.

BAA was the heaviest faller among leaders yesterday after unveiling second-quarter results in line with City estimates. The shares came in for profit-taking, tumbling 24.5p to 492.2p, on volume of 5.33 million, in spite of first-half profits 11.8 per cent higher, at £265 million. There was market talk that BAA's heavy investment programme may require a cash call to help fund expansion and upgrade airports as passenger numbers continue to grow. British Airways, to report interim today, eased 3p to 357p.

Among other companies reporting, a dip in full-year profits saw Associated British Foods shed 9p to 557p, though the results were above pessimistic forecasts. There is talk that some analysts are



All quiet on the dealing room front

preparing to downgrade forecasts because of a sharp drop in the group's investment income, hit by weakness in gilts.

Contrafolds shares were another big casualty, sliding 19p to 440p after UBS, the broker, downgraded its profit forecasts for the company. UBS has cut its current year pre-tax profit forecast by £20 million, to £150 million, with

can selling. BP slid 11.5p to 416p, while Shell, which is to unveil third-quarter figures on Thursday, fell 9.5p to 711p.

J Sainsbury held steady at 413p in spite of concern among some brokers about a proposed slowdown in the supermarket group's store-building. Hoare Govett is understood to have reiterated its sell stance amid concern that store-build-

ing climbed 4p, to 79p, after a short squeeze.

Fortie fell 7p to 226.5p, giving a two-day loss of 10p, in reaction to Friday's £175 million placing, at 227p a share, to part-fund acquisition of the Meridian luxury hotels chain.

Among second-liners, Control Techniques put on one of the day's best advances, surging 83p, to 468p, on news that the company is in discussions with Emerson Electric about a possible bid. Emerson owns 29.4 per cent of the group.

Hartons firmed 1p, to 7p, on disclosure that a third party is in bid talks with two major shareholders that may lead to a full-scale offer of 8p a share.

Lorho continued to warm to the prospect of possible break-up moves, adding 4p, to 148.5p, giving a two-day gain of 16p, after speculation about Dieter Bock's plans for realising shareholder value now that Tiny Rowland is in to retire.

B Elliott celebrated its return to the dividend list with a 10p jump, to 99p, while Tadpole Technology advanced 20p, to 425p, on the profit potential for its new notebook computer.

SG Warburg, down 10p, at 609p, was a nervous market ahead of interim figures today, with the continuing low level of business remaining an additional worry for merchant banks. However, Credit Lyonnais Laing is thought to be keen on Warburg and Kleinwort Benson, down 5p, at 477p.

Insurance shares were weaker ahead of results this week. Commercial Union lost 11.5p, to 542.5p. General Accident fell 8p to 580p. Royal Insurance, shed 7p, to 301p, and Sun Alliance was down 6p, at 335p.

GILTED: Government stocks saw a negative start to the day, opening down in very tight conditions and depressed by weaker overseas bond markets. Stocks drifted lower after the release of UK industrial output data, though trading remained in a tight range for most of the day. The December long gilt fell 17 to £100.77 1/2, in low volume of 23,500 contracts. In cash stocks, losses stretched to 7p among longer-dated issues.

NEW YORK: Shares were lower at midday amid concern about inflation, interest rates and Tuesday's elections. The Dow Jones industrial average was down 3.36, at 3,804.16.

## MAJOR INDICES

New York (midday):  
Dow Jones 3804.16 (+3.36)  
S&P Composite 462.20 (+0.08)

Tokyo:  
Nikkei Average 19619.22 (-192.34)  
Hang Seng 9434.31 (-96.09)

Hong Kong:  
HSE Index 408.56 (-2.20)  
AO 1079.1 (-20.6)

Sydney:  
All Ordinaries 2043.52 (+24.04)  
DAX 12787.1 (-127.87)

Frankfurt:  
DAX 2043.52 (+24.04)  
DAX 12787.1 (-127.87)

Singapore:  
Straits 2331.66 (+0.84)

Brussels:  
General 7138.44 (-12.17)

Paris:  
CAC-40 1906.07 (-25.58)

Zurich:  
SIX Gen 654.20 (+0.10)

London:  
FT 30 2346.2 (-25.5)  
FT 100 3065.8 (-31.8)  
FT-SE Mid 250 3520.1 (-14.5)  
FT-SE Europe 100 1322.66 (-11.06)  
FT-SE Asia 1528.19 (-12.85)  
FT-SE Financials 1645.18 (-13.60)  
FT Gold Mines 264.9 (-1.00)  
FT Real Interests 108.01 (+0.17)  
FT Govt Secs 91.84 (+0.48)  
Bargains 1964  
SEAQ Volume 152,051,451  
USM (passive) 1,612.8 (+0.005)  
German Mark 2.4477 (-0.0033)  
Exchange Index 80.6 (name)  
Bank of England official base rate 10%  
ESU 1.2787  
LSOR 1.0886  
RPI 1450.50 (2.2%) Jan 1987=100

RECENT ISSUES

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Abrams Latin Am	88
Abrams Latin Wis	57
Adare Pmtg	185
Antares Estates	75
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Ennemi (63)	67
Filtronix Comtek	140
Games Workshop (115)	121
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Hambros Sml As Wts	27
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Servisair (135)	144
Whitechurch	62

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Matthew Clark n/p (500)	20
Novo n/p (26)	20
Sidlaw n/p (180)	15
Union Square n/p (5)	4

## MAJOR CHANGES

RISES:	
Henderson Admin	963p (+8p)
Quality Care	264p (+9p)
FALLS:	
SG Warburg	609p (-10p)
Courtauld	440p (-19p)
ICI	762p (-11p)
Aspec Nursing	226p (-10p)
Glaxo	589p (-12p)

Closing Prices Page 30

## TEMPUS

### Food for all

GARRY Weston always seems to have a trick up his sleeve. As the competitive screw tightens inexorably in ABF's main milling and baking business, the group always seems to alleviate the pressure somewhere. Last year, British Sugar provided the bright spot. This year, it was the group's often overlooked supermarket chain in Ireland, where profits jumped 38 per cent, to £47 million.

Unfortunately, that was not enough to shelter the group from the cold winds blowing through the gilts market. The 75 per cent slump in investment profits, to £21 million, far outweighed the modest gains in manufacturing and retailing. Such a low contribution from investment income made the need to invest ABF's excess cash back into the business. A return of less than 4 per cent on £655 million

cash pile does not meet any yardstick. The recent acquisition of Karlshaus, the American food ingredients business, is a strong clue about where ABF will invest. The European food industry is in many cases too static and mature to justify the prices that food businesses command. ABF has the resources to build a substantial presence in the US where it is under-represented.

The Asia-Pacific region is the other gleam in Mr Weston's eye. The area offers vast growth markets that are still served by a largely fragmented food industry, with little of the margin pressure that dogged the group in Britain. That pressure is not easing as the supermarkets continue to battle it out over price. Until ABF invests its cash in growth markets, it will continue to be restricted to edging forward over hostile ground.

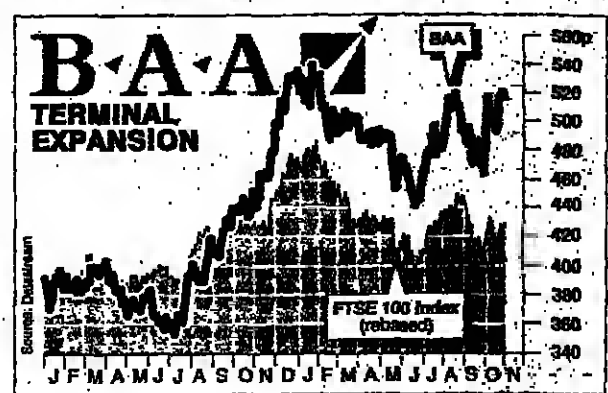
## BAA

BAA talks a convincing case about growth in passenger numbers - its underlying market - and the continuing rise in retail and shopping-related property income. The numbers of people using Britain's airports is growing faster than BAA's own long-term estimates of growth, which are based on a 4.5 per cent rise every year until well into the first decade of the next century.

In fact, BAA's problems are more likely to come from too much traffic rather than too little. The Government has kindly relaxed its RPI formula to allow BAA to conserve more cash for development of Terminal 5, leaving BAA in the comfortable position of having no need to call on shareholders for the most significant investment since privatisation. Conges-

tion and disruption reduce sales, says BAA, pointing to its best sales per head figures at Stansted, where the cavernous empty halls make shopping more pleasant. A return to congestion at Heathrow could hinder the retail growth strategy, leading to more demands for building in confined spaces. The alternative is investment

abroad, but progress here is unimpressive with only one - Pittsburgh - completed. The problem is the enormous profitability of Heathrow - the benchmark by which proposed investments must be tested. Few airports boast Heathrow's potential and BAA may be forced to buy second-best or abandon overseas ambitions.



## Kenwood

SOMETHING is stirring in the food mixer industry. Kenwood, one of those Great British brand names that suffered decades of neglect under previous owners, has been reinvigorated as an independent company since it came to the market two years ago. Now, it is expanding into new markets and new products, with the acquisition of an Italian counterpart.

The £21.8 million purchase of Ariete is Kenwood's biggest gamble since it was bought out from Thom EMI five years ago. It opens up the small appliance markets in southern Europe for Kenwood and expands the group's technical know-how into steam appliances.

Unfortunately, the group would have benefited from presenting a brighter set of interim figures to accompany the £27.3 million rights issue. Almost all the £542,000 increase in operating profit in

the first half appears to come from Waymaster, which the company bought last year. The company's excuse that the hot weather drove people from the kitchen and prevented them buying food preparation rings slightly hollow.

Investors, therefore, must take Kenwood's judgment of Ariete's qualities on faith, particularly since the cash call will dilute earnings this year and add little in 1996.

The shares at the 310p rights price are only 25p higher than the 1992 issue price, and stand on a prospective p/e ratio of less than 13. Kenwood needs to show stronger organic growth for the shares to find favour in the City.

## Control Techniques

CONTROL Techniques is a business that any of the world's largest electronic and engineering groups would dearly love to own. It comes successfully across the

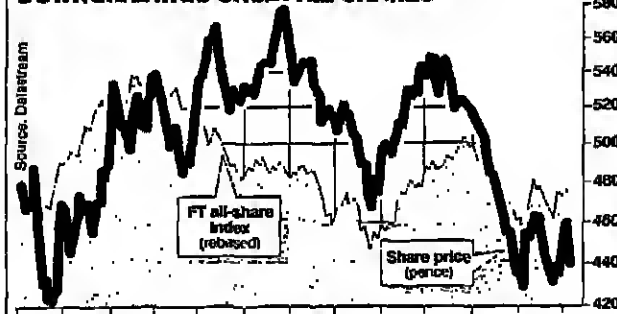
globe against blue chip companies, selling bespoke drive systems for industrial machinery.

The City has long recognised its strengths and its ability to expand its bottom line even in the harshest recession. As a consequence, Control's shares have traded on a near-permanent premium rating.

A bid from Emerson Electric was always a strong possibility, ever since its standstill agreement ran out in July this year. But Emerson will not be allowed to pick up Control on the cheap. At yesterday's closing price of 466p, the shares already value the company at more than 25 times current-year earnings forecasts. If Emerson wants to be sure of success, it will need to offer almost £5 a share. Control's order-book has grown rapidly, but at that price, even its most loyal shareholders may cave in.

EDITED BY NEIL BENNETT

## COURTAULDS: BROKER PROFIT DOWNGRADING UNSETTLE SHARES



## COMMODITIES

LONDON COMMODITY EXCHANGE

Dec 94	93.931	Mar 95	102.1025
Mar 95	97.079	Jun 95	102.3330
Jun 95	96.964	Sep 95	102.1042
Sep 95	97.977	Dec 95	102.1042
Dec 95	99.991	Mar 96	102.1042
Mar 96	100.007	Jun 96	102.1042
Jun 96	100.007	Sep 96	102.1042
Sep 96	100.007	Dec 96	102.1042
Dec 96	100.007	Mar 97	102.1042
Mar 97	100.007	Jun 97	102.1042
Jun 97	100.007	Sep 97	102.1042
Sep 97	100.007	Dec 97	102.1042
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Sep 20	100.007	Dec 20	102.1042
Dec 20	100.007	Mar 21	102.1042
Mar 21	100.007	Jun 21	102.1042
Jun 21	100.007	Sep 21	102.1042
Sep 21	100.007	Dec 21	102.1042
Dec 21	100.007	Mar 22	102.1042
Mar 22	100.007	Jun 22	102.1042
Jun 22	100.007	Sep 22	102.1042
Sep 22	100.007	Dec 22	102.1042
Dec 22	100.007	Mar 23	102.1042
Mar 23	100.007	Jun 23	102.1042
Jun 23	100.007	Sep 23	102.1042



# THE TIMES CITY DIARY

## Liberating a few extras

**HANDS** up if you have never taken anything from a hotel room while on a business trip. What? Not even those tiny tablets of soap or a tired old coat hanger? Well, the third annual Reed Travel group OAG business travel life-style survey reveals that more than 60 per cent of Europe's most frequent business travellers do admit to having "removed" items from their hotel room in the past year. The favourite items to have fallen off the back of a hotel room are: shampoo "taken" by 65 per cent of travellers; soap - removed by 62 per cent; pens - "borrowed" by 60 per cent; books/magazines - "swiped" by 33 per cent; and coat hangers "pocketed" by 8 per cent. Travellers also confessed to taking cutlery, television remote controls, and Gideon Bibles. The survey, which you can't tick and which will cost you £50, suggests that women are more tempted than men, that the favourite British swipe is a "good old coat hanger" and that the Germans just love pens, soap and books.

## West winds

**THERE** is something about the City, balloons and Holland. In June, Exco released 175 balloons from the steps of the Royal Exchange, and eventually, three turned up in Holland. Neville Russell, the chairman of the City of London School for Girls - both celebrating their centenary - will release 250 balloons from St Paul's during the Lord Mayor's Show on Saturday, with a reward promised to the owner and the finder of the balloon to travel the furthest. And Beale Dobie, market-maker in second-hand endowment policies, recently marked his fifth birthday with a gathering of 50 financial advisers, and each guest's name was attached to two balloons. Beale Dobie's prize for the furthest travelling balloon is a traded endowment policy worth £2,000 on maturity in 2001. So far, one balloon has made it as far as Germany, and 70 have come down in Holland.



## Cash strategem

**THE** Cancer Relief Macmillan Fund will have taken more than a passing interest in year-end results from Stratagem yesterday, and the company's 3.5p a share final dividend. In March, Stratagem took the lead from one of its shareholders who was bored with owning less than 100 shares and the associated financial hassle of cashing in a meagre dividend cheque. He suggested his shares should be donated to charity. Stratagem followed up the idea, wrote to nearly 2,000 holders of less than 100 shares, asked if they would like to "donate" their certificates, and met with a charitable response from 291 private shareholders. Stratagem, in turn, matched each donation with £3 and recently enriched the Macmillan Fund with 7,500 Stratagem shares plus a bundle of cash. The idea is catching on, Stratagem says.

COLIN CAMPBELL

# Drug industry caught in the grip of deal fever

A tougher pricing environment is helping to trigger corporate activity, says Sarah Bagnall

**D**eal fever has hit the pharmaceutical industry. More than £20 billion has been spent on takeovers this year as drug companies around the world try to ensure their survival in a rapidly changing world. Every part of the healthcare chain - from financing to dispensing drugs - is in upheaval. Gone are the days when profits steadily moved north and drugs were sold directly to doctors, whose selection decisions were based on a drug's efficacy rather than its price. Price was not the doctors' problem, but that of insurers and governments. Then recession hit - and governments, companies, and insurers began to scrutinise their drug bills in an attempt to find ways of cutting healthcare costs. This coincided with political events - such as the election of President Clinton - an event that angered the drug companies as it bought healthcare under the legislative spotlight. Meanwhile, for different reasons, European governments started overhauling their drug-pricing systems with a view to controlling costs. The tougher pricing environment imposed, or planned, by governments around the world is one of several catalysts for corporate activity in the drug sector. One of the main triggers for change is the speedy rise of the pharmacy benefit managers (PBMs).

During the 1980s, companies faced soaring drug bills and healthcare costs as a shift in demographics left them with an ageing workforce and expenses that rose faster than inflation. To curb costs, employers turned elsewhere. The PBMs act as intermediaries. They negotiate with the drug manufacturers on behalf of their customers, which tend to be big employers and insurance companies. These intermediaries manage a workforce's entire healthcare, from doctors' appointments to drug prescriptions. Their sheer size in the market gives them significant buying clout so they can negotiate big discounts. The PBMs also operate a restricted list, referred to as a formulary, that limits the medicines that medical practitioners can prescribe. The drugs are admitted to the list on a strict cost-benefit basis - a sharp shift in power from the days when doctors prescribed drugs without much thought to price. One way PBMs contain costs is to use cheaper generic versions of drugs. This poses a threat to many drug companies such as SmithKline Beecham, whose blockbuster product, Tagamet, came off patent in May. The squeeze on margins has left drug companies bruised and seeking ways to adapt. The bottom line for many companies is cut costs, build market share, or die. Part of the pressure facing drug companies is rising research and development costs. Typically, it takes between eight to 12 years to move from discovering a drug to launching it on



Bitter medicine: many smaller firms are feeling the pain of market changes

the market. The risks of failure are high, and the successful drugs have to bear the costs of the many that fall by the wayside. The average cost is now more than £200 million. Grey Wood-Gush, an analyst at Barclays de Zoete Wedd, said: "The real fundamental driver for takeover activity is the desire to maintain critical mass in both R&D and markets." The companies' response to market pressures has fallen broadly into three camps. Buy a rival, buy a PBM, or leave the industry. The first - horizontal - approach is aimed at cutting costs, while the second - vertical - approach is aimed at securing access to the market. Ian White, an analyst at Robert Fleming, said: "There have been three different kinds of takeovers. There has been the buying or merging with a rival, the deal aimed at diversifying into new areas, such as over the counter, or the purchase of a pharmacy benefit manager." Apart from these mainstream deals, there are other

routes, such as pulling out all together, or collaborating with biotechnology companies. The resulting clutch of deals has come fast and furious, and the prices paid often involve hefty premiums. Roche's agreed \$5.3 billion bid for Syntex was a horizontal move that expanded Roche's activity in its traditional markets while increasing its foothold in America. The logic of the deal was two-fold. Syntex's best-selling product came off patent last year, and, as a result, its sales have plunged. The sharp fall in sales threatened to starve the company of funds to finance its large R&D appetite. Conversely, the Swiss company needed to cut costs and wanted access to the increasingly important over-the-counter market that gives drug makers direct access to patients. The takeover gave Roche the opportunity to cut costs through rationalisation and an OTC opening. Deal fever was then fuelled by American Home Products' hostile \$9.7 billion acquisition of American Cyanamid in August. In the same month,

SmithKline Beecham made a "diversification" deal by buying Sterling Winthrop for \$2.9 billion, making it the world leader in OTC medicines. SmithKline Beecham then sold the North American operation to Bayer, of Germany. The third route taken in response to the changing environment is to buy a PBM. This is the tack taken by Merck, Eli Lilly, and SmithKline Beecham, which together spent \$13 billion on buying the three biggest PBMs in the United States.

This vertical move was first taken by Merck, the American company that paid \$6.6 billion for Medco, a PBM. Then, in May, SmithKline Beecham bought Diversified Pharmaceutical Services for \$2.3 billion. This was followed by Eli Lilly's \$4 billion purchase of PCS Health Systems.

Mr White said: "It is still marginal whether even the best of these deals are the right things to do or not. Only time will tell." The argument put forward by Mr White is that individual PBMs are limited in their access to American patients, so buying one does not solve the problem faced by drug companies of the changes in American healthcare. Other companies have reacted to the tougher market by pulling out all together, such as Eastman Kodak, which sold Sterling Winthrop.

As a result of the changes besetting the industry, the City is labelling companies as either predator or prey. Glaxo is sitting on a cash pile of more than \$2 billion amassed as a result of being the developer of Zantac, the anti-ulcer treatment that is the world's best-selling drug. It was said to have looked closely at the PBM route, but balked at the prices involved and doubted the long-term benefits such a move would make. Glaxo has the firepower to make a deal of size, but opinion is divided over how it will be deployed. Meanwhile, Wellcome has been the subject of bid speculation while, to a lesser extent, so has Zeneca.

**T**here is no shortage of opportunities available to drug companies with cash to spend as many of the smaller companies are feeling the pain of the market changes. This is said to be throwing up acquisition prospects left, right and centre.

Furthermore, the leading drug companies are keeping a close eye on the biotechnology sector. Although the UK companies, including British Biotech, are in their infancy, many drug companies are setting up research collaborations with biotechnology companies. As an indication, in the US, where the market is more developed, drug companies have shown an interest in buying up biotech companies. Hoffman La Roche bought 63 per cent of Genentech, American Home Products bought 60 per cent holding in Genetics for \$666 million, and American Cyanamid's acquired 54 per cent holding in Immunex for \$600 million.

The logic is the biotech companies can fill a void in the drug companies' product pipelines and are willing to find a wealthy suitor because they lack the resources to fund their product's development single-handedly. Mr White said: "It is estimated that if the world-wide biotechnology industry achieves average success, it is going to need between \$5 billion and \$7 billion in the next five years. The stock markets are not going to cough that up."

## BUSINESS LETTERS

### A picture of Liverpool that misses by a mile

From Mr Eric Leatherbarrow

Sir, The photograph which appeared to show Liverpool's Royal Liver Building peering from behind "debris of the past" - your words - ("Merseyside grasps an Ecu lifeline" November 2) is a picture not of muck, but brass.

The use of those two great mounds as illustrations of decline is as far from reality as their location is from Liver-

pool's Pier Head. The piles of scrap metal are more than a mile from Liverpool across the waters of the Mersey on the Birkensand bank of the river - the wonders of modern photography!

The "debris of the past" is, in reality, just part of more than a million tonnes of scrap metal that is gathered and processed in the Port of Liverpool each year before being shipped out as part of

an environmentally friendly exercise.

The operation removes unsightly waste from Britain's landscape and converts it into valuable overseas earnings.

Yours faithfully,  
ERIC LEATHERBARROW,  
Communications Manager,  
The Mersey Docks and Harbour Company,  
Maritime Centre,  
Port of Liverpool.

### Limit top salaries to a multiple of the lowest

From Christopher Swain

Sir, The abolition of minimum wage rates in certain low-paid jobs has caused widespread concern. At the other end of the scale, high bonuses and salary increases are at odds with most people's ideas of fairness and set up fresh strains in the economy.

Both problems could be solved at one and the same time by limiting the top level in any organisation to a standard multiple of the lowest. How about 9.9 as a working suggestion?

Such a mechanism would not only discourage telephone number salaries at the top, but also encourage people in the upper echelons to take an enlightened self-interest in the position of those at the bottom and focus attention more on

pay differentials than on absolute increases. It would also avoid most of the problems which have bedevilled incomes policies in the past.

A fairer spread of incomes would make it easier to resist punitive tax rates on higher incomes and provide a built-in anti-inflation governor. It might just help to foster a greater sense of co-operation and mutual interest within firms too: the sort of radical idea which one might have hoped that Labour's Commission on Social Justice would have come up with!

Yours faithfully,  
CHRISTOPHER SWAIN,  
35 Vernon Close,  
Henham,  
Bishops Cleeve,  
Hertfordshire.

### Misplaced zeal on Lloyd's council

From D. F. Ritchie

Sir, If only the Council of Lloyd's had applied the same degree of diligence over the regulation of the market and of the negligent activities of some of its agents, as it has in applying to change the rules to seek to prevent litigation recoveries passing to names and to pay them instead to Lloyd's Premium Trust Fund, the present catastrophic situation would not have arisen.

Yours faithfully,  
D. F. RITCHIE,  
Cokehurst,  
Stopham,  
Pulborough,  
West Sussex.

### Derivatives myths

From Chris Stiven

Sir, Francois Debertrand ("The sheer scale of derivatives" Business Letters, November 3) claims that "a figure equivalent to annual UK GDP is being traded [worldwide] every ten minutes". This purports to be an attempt to put the scale of derivatives trading into perspective, but in fact

serves to perpetuate the myth that such trading is getting out of control.

Much of the public concern over derivatives transactions could perhaps be alleviated if the terminology used to describe them focused on their economic effect rather than on the nominal principal amounts by reference to which settlements under such transactions are made. For exam-

ple, using the accepted terminology, one might say that a market participant had transacted a £120 million forward rate agreement, a figure that sounds very large to most people. If this were a "one month against one month" transaction, however, another equally accurate way to describe the deal would be to say that a market participant had agreed to pay to or receive

from its counter-party £1,000 for every basis point (0.01 per cent per annum) by which the 30-day interest rate had moved up or down in one month's time. This would be a much less emotive way to describe the transaction. Yours faithfully,  
CHRIS STIVEN,  
30 Croft Way,  
Sevenoaks,  
Kent.

# New oilfields offer dollars but few jobs

West of the Shetlands, the oilmen are ready to drill. Carl Mortished reports

**T**here would have been bigger smiles at HM Treasury than at the Department of Employment yesterday when Tim Eggar, minister for energy and industry, announced approval of the development of the first phase of a massive new oil province west of the Shetlands.

Foinaven and Schiehallion, the new fields in deep water 120 miles west of the islands have been widely touted as the source of Britain's new oil bonanza, and the dollar bills that will flow into the UK as the oil is pumped out of the sea bed will be a welcome boost to the balance of payments.

The good news is unlikely, however, to bring Scotland another windfall in jobs. The new discovery comes at a crucial time in the history of Britain's oil industry and it follows a period of disastrous losses for many independent oil exploration companies, as well as for BP, Britain's second-largest oil company and a partner with Shell in the development of the Foinaven field, announced yesterday.

Over the last ten years, the international oil companies that have invested fortunes in the North Sea have been caught in a tightening vice of increasing costs and the falling price of oil on world markets. Despite the periodic rises in the price caused by the Gulf War and other interference, the market price for oil has been in steady decline. DTI statistics show that for fields starting production between 1986 and 1993 the cost per barrel raised in 1993 was £11 compared with a current oil price per barrel of about £10.60, a differential that leaves no margin for profit.

The answer has been massive cost reduction programmes and an initiative backed by the UK Offshore Operators Association aimed at getting oil companies to collaborate in cutting costs. Cost Reduction in the New Era (Crine). The Government backed the initiative, helping with faster track development by reducing bureaucracy in the approval process.

More important for the industry has been the simplifying of technology, reducing manning of rigs. In the macho world of North Sea oil exploration, over-engineered solutions became the norm in the past and costs escalated. Today, the industry has

focused its attention on margins and BP, which has run a knife through its upstream overheads, reckons it has reduced exploration costs to \$4-\$5 per barrel, compared with \$8-\$10 in 1989-1992. Add to that a further \$3-\$4 of uplift cost and the company can and does make a return on a selling price of \$16 per barrel.

The oil industry's astonishing achievement is that cost reduction and new technology means that it can make money bringing oil out of complicated geological structures in much deeper water than the existing North Sea provinces.

Fast-track development and the use of floating production platforms with offshore loading into tankers means that BP and Shell should be able to produce first oil from Foinaven in 1996 without the massive initial expense of building a fixed platform and transporting it to the area.

New technology, too, helps to improve the revenue-cost equation. Computerised drilling means that wells can be drilled laterally as well as vertically into reservoirs a mile or more from the vessel. Thus, maximum oil flow can be achieved early at little extra expense boosting the cash flow in the early years of development when costs are high.

For the 14 companies operating in the region, the promise of West of Shetlands is continued profitable production in a country with little or no political risk, a major advantage over other developing areas, such as the former Soviet Union and South-East Asia.

**F**or Britain, current estimates of reserves of 3.5 billion barrels of oil, a figure likely to grow as new wells are spudded in the region, mean that a major prop to the balance of payments will not disappear as the existing North Sea developments accelerate their decline in output.

For oil industry workers, however, there will be no bonanza, merely the possibility that jobs lost in the North Sea, may to some extent be maintained in the new region to the west. Yesterday's buccannery oilmen have been supplanted by accountants and one can be certain that every penny that is to be pumped out of Foinaven and Schiehallion has already found a home.

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## Widespread falls in thin trading

TRADING PERIOD: Settlement takes place ten business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

1994	High	Low	Company	Price	Yield	PE
<b>BANKS</b>						
125.00	125.00	125.00	Barclays Bank	125.00	4.5	12.5
125.00	125.00	125.00	HSBC Bank	125.00	4.5	12.5
125.00	125.00	125.00	London City	125.00	4.5	12.5
125.00	125.00	125.00	Midland Bank	125.00	4.5	12.5
125.00	125.00	125.00	NatWest Bank	125.00	4.5	12.5
125.00	125.00	125.00	Paragon Bank	125.00	4.5	12.5
125.00	125.00	125.00	Prudential	125.00	4.5	12.5
125.00	125.00	125.00	Royal Bank	125.00	4.5	12.5
125.00	125.00	125.00	Santander	125.00	4.5	12.5
125.00	125.00	125.00	TSB Bank	125.00	4.5	12.5
125.00	125.00	125.00	Yorkshire Bank	125.00	4.5	12.5
<b>DISTRIBUTORS</b>						
125.00	125.00	125.00	Asda	125.00	4.5	12.5
125.00	125.00	125.00	Debenhams	125.00	4.5	12.5
125.00	125.00	125.00	John Lewis	125.00	4.5	12.5
125.00	125.00	125.00	Next	125.00	4.5	12.5
125.00	125.00	125.00	Primark	125.00	4.5	12.5
125.00	125.00	125.00	Primark	125.00	4.5	12.5
125.00	125.00	125.00	Primark	125.00	4.5	12.5
125.00	125.00	125.00	Primark	125.00	4.5	12.5
125.00	125.00	125.00	Primark	125.00	4.5	12.5
125.00	125.00	125.00	Primark	125.00	4.5	12.5
125.00	125.00	125.00	Primark	125.00	4.5	12.5
<b>BREWERIES</b>						
125.00	125.00	125.00	Asahi	125.00	4.5	12.5
125.00	125.00	125.00	Beck's	125.00	4.5	12.5
125.00	125.00	125.00	Carlsberg	125.00	4.5	12.5
125.00	125.00	125.00	Heineken	125.00	4.5	12.5
125.00	125.00	125.00	Kaiser	125.00	4.5	12.5
125.00	125.00	125.00	Miller	125.00	4.5	12.5
125.00	125.00	125.00	Pilsener	125.00	4.5	12.5
125.00	125.00	125.00	Stout	125.00	4.5	12.5
125.00	125.00	125.00	Tottenham	125.00	4.5	12.5
125.00	125.00	125.00	Watney	125.00	4.5	12.5
<b>DIVERSIFIED INDUSTRIALS</b>						
125.00	125.00	125.00	Admiral	125.00	4.5	12.5
125.00	125.00	125.00	Anglo	125.00	4.5	12.5
125.00	125.00	125.00	Asahi	125.00	4.5	12.5
125.00	125.00	125.00	Beck's	125.00	4.5	12.5
125.00	125.00	125.00	Carlsberg	125.00	4.5	12.5
125.00	125.00	125.00	Heineken	125.00	4.5	12.5
125.00	125.00	125.00	Kaiser	125.00	4.5	12.5
125.00	125.00	125.00	Miller	125.00	4.5	12.5
125.00	125.00	125.00	Pilsener	125.00	4.5	12.5
125.00	125.00	125.00	Stout	125.00	4.5	12.5
125.00	125.00	125.00	Tottenham	125.00	4.5	12.5
125.00	125.00	125.00	Watney	125.00	4.5	12.5
<b>BUILDING &amp; CONSTRUCT</b>						
125.00	125.00	125.00	Asahi	125.00	4.5	12.5
125.00	125.00	125.00	Beck's	125.00	4.5	12.5
125.00	125.00	125.00	Carlsberg	125.00	4.5	12.5
125.00	125.00	125.00	Heineken	125.00	4.5	12.5
125.00	125.00	125.00	Kaiser	125.00	4.5	12.5
125.00	125.00	125.00	Miller	125.00	4.5	12.5
125.00	125.00	125.00	Pilsener	125.00	4.5	12.5
125.00	125.00	125.00	Stout	125.00	4.5	12.5
125.00	125.00	125.00	Tottenham	125.00	4.5	12.5
125.00	125.00	125.00	Watney	125.00	4.5	12.5
<b>ENGINEERING, VEHICLES</b>						
125.00	125.00	125.00	Asahi	125.00	4.5	12.5
125.00	125.00	125.00	Beck's	125.00	4.5	12.5
125.00	125.00	125.00	Carlsberg	125.00	4.5	12.5
125.00	125.00	125.00	Heineken	125.00	4.5	12.5
125.00	125.00	125.00	Kaiser	125.00	4.5	12.5
125.00	125.00	125.00	Miller	125.00	4.5	12.5
125.00	125.00	125.00	Pilsener	125.00	4.5	12.5
125.00	125.00	125.00	Stout	125.00	4.5	12.5
125.00	125.00	125.00	Tottenham	125.00	4.5	12.5
125.00	125.00	125.00	Watney	125.00	4.5	12.5
<b>FOOD MANUFACTURERS</b>						
125.00	125.00	125.00	Asahi	125.00	4.5	12.5
125.00	125.00	125.00	Beck's	125.00	4.5	12.5
125.00	125.00	125.00	Carlsberg	125.00	4.5	12.5
125.00	125.00	125.00	Heineken	125.00	4.5	12.5
125.00	125.00	125.00	Kaiser	125.00	4.5	12.5
125.00	125.00	125.00	Miller	125.00	4.5	12.5
125.00	125.00	125.00	Pilsener	125.00	4.5	12.5
125.00	125.00	125.00	Stout	125.00	4.5	12.5
125.00	125.00	125.00	Tottenham	125.00	4.5	12.5
125.00	125.00	125.00	Watney	125.00	4.5	12.5
<b>ELECTRICITY</b>						
125.00	125.00	125.00	Asahi	125.00	4.5	12.5
125.00	125.00	125.00	Beck's	125.00	4.5	12.5
125.00	125.00	125.00	Carlsberg	125.00	4.5	12.5
125.00	125.00	125.00	Heineken	125.00	4.5	12.5
125.00	125.00	125.00	Kaiser	125.00	4.5	12.5
125.00	125.00	125.00	Miller	125.00	4.5	12.5
125.00	125.00	125.00	Pilsener	125.00	4.5	12.5
125.00	125.00	125.00	Stout	125.00	4.5	12.5
125.00	125.00	125.00	Tottenham	125.00	4.5	12.5
125.00	125.00	125.00	Watney	125.00	4.5	12.5
<b>ELECTRONIC &amp; ELECT</b>						
125.00	125.00	125.00	Asahi	125.00	4.5	12.5
125.00	125.00	125.00	Beck's	125.00	4.5	12.5
125.00	125.00	125.00	Carlsberg	125.00	4.5	12.5
125.00	125.00	125.00	Heineken	125.00	4.5	12.5
125.00	125.00	125.00	Kaiser	125.00	4.5	12.5
125.00	125.00	125.00	Miller	125.00	4.5	12.5
125.00	125.00	125.00	Pilsener	125.00	4.5	12.5
125.00	125.00	125.00	Stout	125.00	4.5	12.5
125.00	125.00	125.00	Tottenham	125.00	4.5	12.5
125.00	125.00	125.00	Watney	125.00	4.5	12.5
<b>BUILDING MATERIALS</b>						
125.00	125.00	125.00	Asahi	125.00	4.5	12.5
125.00	125.00	125.00	Beck's	125.00	4.5	12.5
125.00	125.00	125.00	Carlsberg	125.00	4.5	12.5
125.00	125.00	125.00	Heineken	125.00	4.5	12.5
125.00	125.00	125.00	Kaiser	125.00	4.5	12.5
125.00	125.00	125.00	Miller	125.00	4.5	12.5
125.00	125.00	125.00	Pilsener	125.00	4.5	12.5
125.00	125.00	125.00	Stout	125.00	4.5	12.5
125.00	125.00	125.00	Tottenham	125.00	4.5	12.5
125.00	125.00	125.00	Watney	125.00	4.5	12.5
<b>BUSINESS SERVICES</b>						
125.00	125.00	125.00	Asahi	125.00	4.5	12.5
125.00	125.00	125.00	Beck's	125.00	4.5	12.5
125.00	125.00	125.00	Carlsberg	125.00	4.5	12.5
125.00	125.00	125.00	Heineken	125.00	4.5	12.5
125.00	125.00	125.00	Kaiser	125.00	4.5	12.5
125.00	125.00	125.00	Miller	125.00	4.5	12.5
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## Eggar urged to veto aid for German steelmaker

FROM WOLFGANG MÜNCHAU IN BRUSSELS

THE British Government is under strong pressure from the British steel industry to veto a proposed DM900 million subsidy scheme to secure the survival of an east German steel company.

British officials, however, made it clear yesterday that Tim Eggar, the industry minister, has taken no decision on the issue yet, and that the final judgment would depend on the outcome of a meeting of European Union industry ministers today.

The European Commission recently approved the subsidy, which would allow Cockerill Sambre, a Belgian steel producer, to pay Eko Stahl's DM400 million debts, with the rest earmarked for new investment.

Riva, an Italian steel company, had pulled out of negotiations to buy Eko Stahl after the Commission required stringent capacity cuts.

British steelmakers, who met Mr Eggar last Friday, say steel capacity in Europe would rise significantly, by about 1.5 million tonnes, if the aid was allowed. They argue that this would damage their own competitive position.

Under the Paris Treaty of the European Coal and Steel

Community, the decision requires unanimous approval by the Council of Ministers, which gives Mr Eggar an effective right of veto. If he uses the veto, he is bound to spark a row with the Germans. The preservation of Eko Stahl forms a critical element in their industrial strategy for the east. According to German press reports over the weekend, Günter Rexrodt, the German Economics Minister, has been putting strong pressure on Michael Heseltine, the President of the Board of Trade, to prevent the veto being used.

If Mr Eggar complies, however, he will risk a row with British steel producers, who have not benefited from state subsidies, and who have cut significantly more capacity than their continental rivals over the past few years.

The British decision will be guided by the principle of equivalence in respect of the Commission's earlier approval of the Riva subsidy scheme, which involved about DM800 million. Since the total proposed subsidies are now larger, Britain would insist on higher capacity cuts.

A report by a monitoring group, charged with policing the European Steel Aid Code, will be crucial. Mr Eggar will determine whether the monitoring has been carried out with sufficient vigour, and whether the conclusions are appropriate.

A British source said that the UK will insist on enforceable and measurable benchmarks.

However, there were no indications yesterday that Mr Eggar is prepared to invoke the veto.

British Steel has started legal proceedings against the Commission in the European Court of Justice over the decision to approve various state aids to European steel makers. However, action in the European Court can last up to two years.



Tim Eggar: under pressure



Kenneth Wood, founder of Kenwood, with exhibits of products past and present from the company, which is paying £21 million for Ariete of Italy

## Kenwood's Italian deal brings £27m cash call

BY SUSAN GILCHRIST

KENWOOD Appliances is bolstering its presence in the European household appliances market by acquiring the Ariete group in Italy for £21.8 million in cash.

The deal will be funded by a 1-for-4 rights issue at 310p a share to raise £27.3 million. The issue price is a 17 per cent discount to Kenwood shares' 374p Friday closing price.

The rights issue will also fund product development in Kenwood's core UK market. The company said that the Ariete deal would enhance earnings from next year.

Tim Parker, Kenwood's chief executive, said that Ariete would strengthen the company's international distribution and its product range. Kenwood has expanded rapidly overseas in the past two years, but has only a limited presence in Italy, Europe's fourth-largest market for electrical appliances.

The deal will take Kenwood into important new product areas such as irons and espresso coffee-makers, and let it benefit from Ariete ranges being developed, such as portable air conditioning units, dental health products and steam-cleaning appliances.

Ariete made pre-tax profits of £6.6 billion (£2.6 million) on sales of 57.4 million lire (£22.7 million) in the year to December 31. Sales in the nine months to September 30 were running 34 per cent up on that period last year. Kenwood expects to improve Ariete's margins through better purchasing terms and increased in-house manufacture.

Kenwood made pre-tax profits of £6 million (£5.4 million) in the half year to September 30. Earnings per share rose by 18 per cent to 113p (9.6p). An interim dividend of 3.25p (3p) is due on February 24.

UK sales, almost 60 per cent of turnover, rose by 10 per cent. This was entirely due to the contribution by Waymaster, the water filter manufacturer acquired last year. Like-for-like sales fell slightly.

The picture was better overseas, with a strong performance from Hong Kong. Kenwood is optimistic about prospects for Christmas in the UK.

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## More plants open in South Africa

FROM JON ASHWORTH IN JOHANNESBURG

A RAFT of multimillion-rand plant openings is set to underpin South Africa's re-emergence in international markets. A stainless steel plant and an aluminium smelter are among big projects due on stream within months.

Top of the list is the R3.5 billion (£630 million) Columbus stainless steel project at Middelburg, in the Transvaal. Columbus, a venture by Anglo American, Gencor and South Africa's Industrial Development Corporation, is due to begin trial runs within six weeks and should be fully operational by mid-1995.

The plant will have a capacity of 500,000 tons a year in time, making it the world's sixth-largest stainless steel producer. Leslie Boyd, Anglo American's deputy chairman, said it was expected to earn plenty of hard currency.

Davy International, part of Trafalgar House, won orders for kit worth £220 million for Columbus and GEC-Alsthom has supplied electrical equip-

ment. Also nearing completion is the R5.4 billion Alusaf aluminium smelter at Richards Bay, in Natal. The project, backed by Gencor, is expected to produce its first metal by mid-1995.

Sasol, a petrochemicals group, has just opened a R300 million extension to its main operation, near Johannesburg, and its main rival, the oil group Engen, has spent R800 million upgrading a refinery in Durban.

Talks are continuing with Daewoo, of Korea, over a R600 million joint venture to produce television tubes. The plant would create 650 jobs and support 10,000 more.

The hunt continues for strategic alliances abroad. Gencor, through its \$1.2 billion Billiton purchase, and Sappi, the paper group, have taken foreign expansion by South African companies to a new level. Sasol is investigating potential partnerships in South-East Asia and the Middle East.

## Rentokil buys patrol business

BY MARTIN WALLER  
DEPUTY CITY EDITOR

RENTOKIL, the fast-growing services group, has bought a security business from Granada Group for a total consideration of £8 million.

Clive Thompson, Rentokil's chief executive, said the acquisition of Sterling Granada Contract Services was significant, as it was the first time the company had made in the security sector since the successful bid for Securiguard last year.

Sterling provides manned guarding of premises and mobile patrols and has an annual turnover of £20 million. Granada is retaining its traffic and secure storage operations.

Mr Thompson said the purchase would enhance the competitiveness of Rentokil's security business and would be the first step in the development of that business into a significant player in the UK.

## Profits jump 22% at Henderson

BY PATRICIA TEHAN, BANKING CORRESPONDENT

HENDERSON Administration, the fund management group, increased its funds under management by 12.3 per cent to £13.7 billion in the first half to September 30, driven by growth in its international and retail operations.

Pre-tax profits were 22 per cent higher at £11.23 million. Earnings per share were up 29 per cent to 36.37p and the interim dividend has been raised for the first time in three years, up from 12.5p to 13.5p.

Jeremy Edwards, managing director, said the interim dividend, to be paid on January 10, had "a bit of catching up to do" with the final payment. The final dividend will be at least maintained at last year's 31.5p, the company said. Pension money under management fell from £5.25 billion at the end of March to £4.7 billion in what Mr Edwards described as "an extremely competitive market which will remain so".

However, Henderson has

increased its net new funds by £981 million over the 12 months to September 30, excluding market movements. Of that total, £401 million was added in the six months to end-September. International funds increased from £984 million at the end of March to £1.38 billion.

Ben Wrey, the chairman, said this momentum in new funds was "vital in providing the revenue growth to keep the group moving ahead whilst there is little or no underlying help from world financial markets".

Mr Edwards, who is due to retire in 1997, said the search has started for his successor, after the departure of Paul Manduca, the heir apparent, to BAT's new fund management arm.

He said he hoped a new managing director would be appointed by the middle of next year, at which time he would focus his time on helping his successor and working on other projects at Henderson.

## Oil surges by 1m barrels a day

BY OUR BUSINESS STAFF

WORLD oil production surged by more than one million barrels per day in October from September levels and the climb is expected to continue during 1995, the West's oil industry watchdog reported yesterday. Production is growing faster than expected because of enhanced recovery methods and other new technology, enabling producers to maximise output and more than offset forecasts of higher demand, City analysts said.

In 1995, oil production in non-Organisation of Petroleum Exporting Countries (Opec) alone is expected to rise by at least 500,000 bpd to 41.6 million, the International Energy Agency, which is based in Paris, said. Even though oil demand continues to grow rapidly — a 1.5 per cent increase or one million bpd in 1994 alone, according to the IEA — the world's thirst for oil is being quenched by higher than expected exports from the former Soviet

Union, the North Sea and Latin America. "Non-Opec production is constantly going up and we think forecasts are actually underestimating it even now. If the winter is very mild, we're at risk of falling prices," said Mike Barry, an oil analyst, of Energy Market Consultants.

According to the latest monthly IEA report, most of the October gains were made in non-Opec countries, especially Britain and Norway, the North Sea producers. The IEA, which draws its membership from the Organisation for Economic Co-operation and Development (OECD), said the end of maintenance work and increasing supplies from new fields in the North Sea accounted for most of the gains.

Higher Alaskan production and new fields in Latin America and Asia also helped to push world oil supply to 69.45 million bpd in October, up from 68.39

million in September. Of this total, the IEA said, production from the Opec countries was up a mere 0.2 million bpd to 25.2 million.

Most of Opec, with the rosin exception of Saudi Arabia, is producing at capacity. The group has kept its 24.52 million bpd ceiling unchanged since September 1993 but has produced above that most of the time. Higher supplies from outside Opec give the 12-member group little room to manoeuvre when it meets on November 21 in Bali to decide on first-quarter 1995 production levels.

Many Opec ministers and delegates have repeatedly said that Opec will decide to keep its ceiling unchanged for at least the first three months of 1995 when it meets in two weeks. Prices at just over \$16.30 per barrel for the Opec basket of seven crudes leave the group well short of its \$21 target.

## Bid talks at Control Techniques

BY MARTIN BARROW  
CITY NEWS EDITOR

SHARES in Control Techniques soared to 468p from 385p after the electronic equipment maker disclosed it was in takeover talks with its principal shareholder, Emerson Electronics, a US company that owns a 29.4 per cent stake.

The talks follow a three-year standstill pact, which expired in July. Control Techniques said they "may or may not" result in a full takeover bid. After yesterday's rise in the share price, Control is capitalised at almost £182 million.

Control Techniques disappointed the City in June with interim results below expectations. Pre-tax profits edged forward to £3.84 million, up just 3 per cent, prompting a sharp fall in its shares. Trevor Wheatley, chairman, blamed delayed orders and problems in America after a slow start to the year. Turnover fell to £52.1 million from £54.2 million.

At the time, Mr Wheatley was confident about prospects, with order books recovering in the second quarter and continuing to rise. The interim dividend was raised to 2.6p a share from 2.35p.

Tempus, page 28

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**THEATRE page 34**  
Daydreaming their  
Troubles away: a fanciful  
look at Belfast life  
comes to the Drill Hall

# ARTS

**DANCE page 35**  
The Royal Ballet pays  
belated tribute to the  
genius of choreographer  
Sir Frederick Ashton



**VISUAL ART:** This year's Turner Prize shortlist goes on show at the Tate; plus recommended exhibitions

## More room in the coconut shy

The annual  
celebration of the  
new, unusual  
and vilified has  
been given extra  
space, says

**Richard Cork**

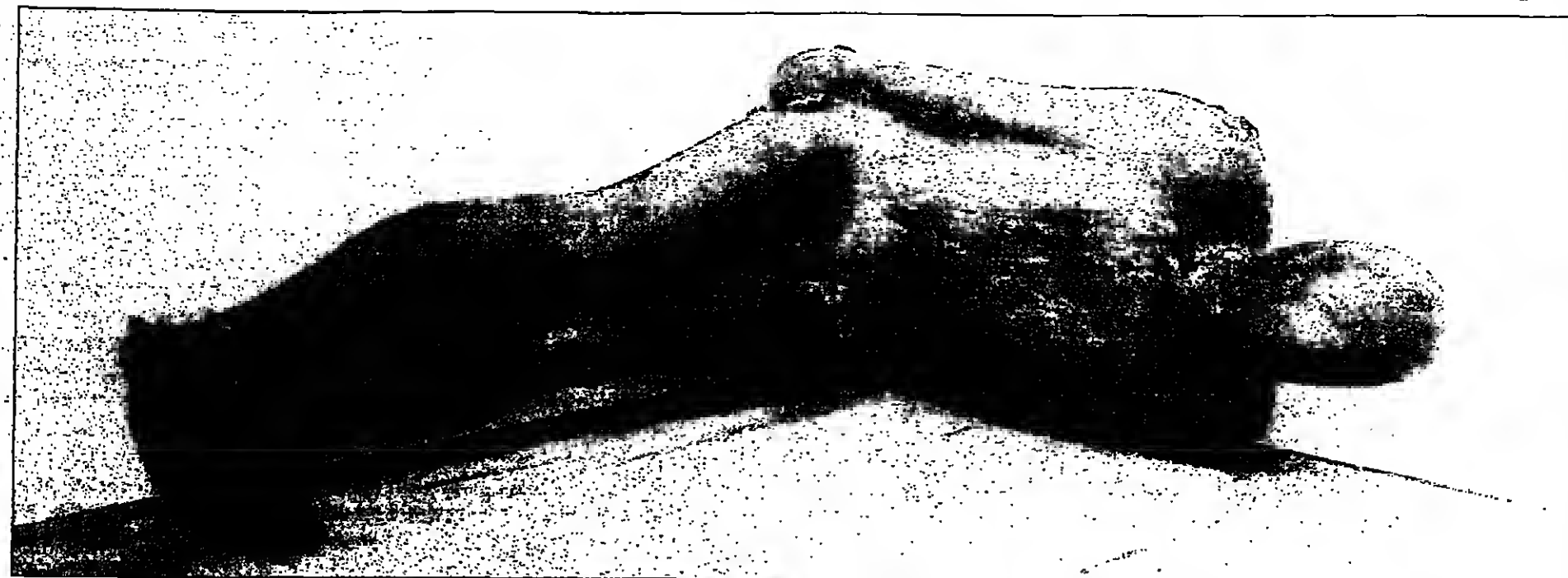
Until now, the media razzmatazz surrounding the Turner Prize has contrasted oddly with the modest size of the accompanying exhibition. Tabloid headlines laced with outrage culminated, last year, in the hysterical publicity generated by Rachel Whiteread's *House*. But this powerful and much-lamented sculpture, torn down so quickly by a philistine local council, was located in an East End street — not displayed in the front-runners' show at the Tate. There, the shortlisted artists have usually been given a rather grudging amount of room.

In short, I have always thought that the Turner Prize exhibition was a wasted opportunity. Alerted by such extensive press coverage, people are naturally curious to find out what the contenders actually produce. It is not enough to offer them a single piece by each artist they should be shown in some depth, so that visitors are given a reasonable chance to make up their own minds.

That is why the 1994 exhibition deserves a welcome. As if to celebrate the coming-of-age of a prize now a decade old, this year's survey is given more space than before. The first room is devoted entirely to information about the artists, with the help of television monitors, relevant publications and seating for anyone who wants to linger and study. It establishes the right mood for the rest of the show, where every exhibitor enjoys a handsome arena clearly separated from the other artists.

This expansion is especially appropriate in the case of Shirazeh Houshiary, who occupies the first room. A quotation from a 13th-century Sufi poet prefaces her exhibits, alerting us to the Islamic mysticism that fuels this Iranian-born artist's imagination. Houshiary's work needs its own contemplative space, and invites us to spend time entering into a philosophy removed from Western thought. But the Sufi quest for self-knowledge is accessible, and she emphasises the universality of human experience rather than a separate creed.

Her room is dominated by a five-part sculpture called *The Enclosure of Sanctity*. At the Camden Arts Centre, where they were first shown, these large lead cubes looked even more impressive. Nothing distracted attention from the mysterious interplay between them. They are reminiscent of planets, and Houshiary sees them in terms of a central sun orbited by Mercury, Venus, the Moon and Mars. From the outside, they appear sober enough. But once we peer into them, most of the "planets" become complex and rich in colour. Silver foil, copper and gold leaf emblazon the grid-like structures, offering a sense of radiance after the darkness of the lead containers. Although their grey solidity protects the labyrinthine within, the sculpture can only be savoured by those willing to explore the interior.



A similar commitment is needed when we approach her paintings on the end wall. Ideally, they ought to be installed in a chapel of their own. Here, the paintings' proximity to the sculptures is confusing, and might prompt visitors to see them all as a single installation. The truth is that the paintings deserve separate attention. From a distance, they resemble black minimalist canvases by Ad Reinhardt. Close-to, however, a fine network of pencil lines repeat a Sufi chant in Arabic. They create the ghostly image of a circle whirling inside a square. The extraordinary concentration lying behind these rigorous yet poetic images testifies to the meditative spirit informing all Houshiary's work.

None of the Turner front-runners could be described, this year, as an enfant terrible. The rule excluding anybody over 50 has led, in the past, to an emphasis on recent college graduates. Pitting them against middle-aged artists made for uncomfortable contests, but the 1994 line-up avoids any suspicion of premature reputation-mongering. The youngest contenders, Peter Doig and Willie Doherty, are in their mid-thirties. If they have only become prominent in the past few years, both men can already boast considerable bodies of work.

Doig's contribution also gives this year's show a more traditional character than its predecessors. Landscape painters have never played much part in Turner line-ups, but his canvases all represent



an impassioned response to the countryside. At their most remote, the subjects derive from Doig's memories of growing up in Canada. The bleakness and isolation of winter has inspired his most memorable pictures, and I would have preferred these snowscapes to dominate his room at the Tate. *Pond Life* approaches the nearest to this glacial vision, with Munch-like trees bordering an area of ice scored with skating marks. But the image as a whole seems congested, particularly in comparison with the understatement of the glowing, almost opalescent snow-covered mountain in *Ski Jacket*.

Doig's other exhibits juxtapose the white geometry of Corbusier's housing in Briey-en-Foret with the darkness of an encircling wood. The trees, threatening to engulf the luminous buildings beyond, bring out the most strident side of Doig's imagination. And the occasional splatterings of

white paint violate the more naturalistic elements in the scene, leading to a sense of unresolved tension.

If Doig often looks like an artist struggling against the conventions he revives, Willie Doherty abandons paint on canvas in favour of the camera. Still working in his native Londonderry, he explores the complexities of life in a fearful city. Through his photographic work, Doherty has highlighted the gulf between Catholic and Protestant areas. He has also deployed words underneath photographic portraits, changing the captions to show how easily Irishmen can be branded with stereotypical and misleading identities.

But the work displayed here is a video installation called *The Only Good One is a Dead One*. The room is dark, concentrating attention on two walls where the images are projected. Our eyes move from one to the other, generating a sense of restlessness. And this grows into disquiet once the projections begin. One of them is confined to a view through the window of a parked car, showing the eerie, pink phosphorescence of streetlamps in a near-empty part of town. The other lets us look through the windscreen of a car in motion, its headlights giving the torrid rural road ahead a bleached, menacing ghostliness. Nothing actually happens, but an all-pervasive air of dread is reinforced by the sound of an unidentified man's voice, quietly confiding his thoughts on victimisation and murderous fantasies. Even the most humdrum journey can, it seems, become a trigger for paranoia in a world riddled with mistrust.

The last and oldest artist in the show, Antony Gormley, seems to return his sculpture to the great European figurative tradition. But Gormley departs from hallowed precedent as well. Instead of inventing form, he relies for the most part on casting his own body in plaster. Such a strategy may sound supremely narcissistic. Rather than producing self-absorbed work, though, Gormley only uses his body as a starting-point. Once the figure has been cast, in

Four for the Turner: (top) detail from *Testing a World View* (1993), by Antony Gormley, using his own body cast as a base; (above left) detail of *Pond Life* (1993), by the landscape painter Peter Doig; (above right), *The Enclosure of Sanctity* (1992-3) Shirazeh Houshiary's representation of the Sun, Mercury, Venus, the Moon and Mars; (left) a scene from Willie Doherty's video installation. *The Only Good One is a Dead One* (1993)

against a wall, another nosedives towards the floor. Gormley refers to them all as "the body in crisis", and on a literal level they resemble the ashen victims of some unexplained atrocity. But there is a meditative serenity about them as well, pointing to Gormley's fascination with spiritual stoicism.

His other exhibit, marooned in the middle of an otherwise empty space, is likewise poised between vulnerability and calm. This time an impression of his body is encased in a block of concrete. It looks imprisoned, and desperate to escape. Gormley, however, sees the sculpture in more positive and spiritual terms, as an expression of the "imaginative space inside the body". Perhaps he does not realise how perturbing his sculpture can sometimes appear.

Next year, the Turner exhibition should be expanded further still. The overwhelming response to the Tate's concurrent Rebecca Horn exhibition proves that there is a growing public appetite for contemporary art at its most adventurous. The Turner Prize provides the ideal opportunity to feed this hunger. Bringing the shortlisted artists into greater contact with the widest possible audience ought to be seen as the main objective of the event — not the moment, on November 22, when Charles Saatchi announces the identity of the winner. All four are substantial and deserving candidates, but the judges' final tussle will surely centre on Gormley and Houshiary.

● The Turner Prize at the Tate (071-887 8000) until Dec 4. On prize-giving night, Richard Cork will take part in a live discussion on Channel 4.

Two of the other figures convey outright frustration. While one leans his head

### AROUND THE GALLERIES

IN SCOTLAND Sir David Wilkie is normally regarded as one of the great artists. Elsewhere he is too often snuffed into the hold-all category of genre artists, loveable but limited by a penchant for the quaint. This show sets out to revise our attitudes. Small but discriminatingly selected, it contains unfamiliar versions of familiar images, and works transformed by recent cleaning. It also wisely concentrates on Wilkie's painterly qualities whether in portrait, or in those scenes of everyday life for which he was most valued in his own day. There are also examples of his history painting.

Richard L. Feigen, 6 Ryder Street, St. James's SW1 (071-930 0020) until Nov 25

□ For much of his later life and some years after his death the Irish painter Roderic O'Connor (1860-1940) was almost totally forgotten. This was largely his own fault. He had never exhibited consistently; he lived obscurely in France and was inclined to snub anyone who wanted to talk about his early association with Gauguin. Included here are several of O'Connor's most brilliantly coloured works, executed in his own personal version of divisionism, where the tones are juxtaposed in long streaks of pure colour rather than the dots of the Pointillistes. Even his later, more conventionally painted work has this same dazzling sense of colour, but it is undoubtedly the paintings of the early 1890s, when he was closest to Gauguin, which secure his place in art history.

Browse and Darby, 19 Cork Street, W1 (071-734 7054) until Nov 26

□ At the Royal Academy Schools graduation show two years ago Alan Parker impressed by a certain ingrained singularity. Who else would have chosen as his main exhibit a series of small paintings on the madness of George III? Now his first one-man show confirms the twin impressions of skill and oddity. Figures from English folklore mingle with visitors from out of space and the Tin Man from Oz rubs shoulders with a giant calf out of Tacitus.

Piccadilly Gallery, 16 Cork Street, W1 (071-629 2875) until Nov 27

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# Ashton still not a phoenix

This week's Royal Ballet tribute to the understated genius of its Founder  
Choreographer may be heartfelt, but is it too little too late? John Percival reports

Was there ever such a night at Covent Garden as the performance given in July 1970, when Sir Frederick Ashton retired from directing the Royal Ballet? He was pushed out of the job too early, some thought — but what a glorious send-off. It was a programme prepared in secret by his present and former dancers, to show the breadth and depth of a great career. There was only one complete work, his masterly *Symphonic Variations*, but well-nigh half of his other ballets (more than 80 in all) were represented by extracts.

Why so much fuss? Because the man was a genius. As Margot Fonteyn said (and she knew his work better than anyone): "His ear for music, his eye for movement and his perception of human nature make him to ballet as Shakespeare is to drama."

Even for those of us who thought we had a good idea of Ashton's genius, that tribute gala was a revelation of how sure his touch had been right from the start, and what a vast range he had accomplished. As for those less familiar with Ashton's past, I remember Rudolf Nureyev, seeing most of this choreography for the first time, thinking it so marvellous that he suggested the programme should be preserved and given regularly. But in practice, although Ashton was given the title of Founder Choreographer that night, only a modest selection from his ballets has been seen at Covent Garden over the quarter century since then, and most of those for no more than a handful of performances.

The Royal Ballet's subsequent directors could point to plenty of reasons for that: the limited number of performances the company is allowed, the need to maintain a balanced repertoire, the importance of doing new work. And Anthony Dowell, the present director, does have to his credit the restoration of one major Ashton creation that had not been seen for years, *Ondine*. Now, marking what would have been his 90th birthday, the company is about to offer a short festival of Ashton's works.

Good news, and not only for audiences who will, after a long absence, have the chance to see two of Ashton's greatest works: *Symphonic Variations* and *Daphnis and Chloë*. The Royal Ballet's dancers, too, many of them too young to have worked with Ashton, have an enriching experience in store.

Sarah Widor, who joined the company in 1990, two years after Ashton's death, is to dance in both those works, and says she loves doing his ballets because "there is so much movement in the body". She comments on the small, detailed footwork — "very precise" — the fluid use of the upper body and the way Ashton enlarges and extends the usual arm and body movements. But, more importantly, she has found out that in Ashton's ballets the steps are part of the character.

For principal dancer Bruce Sansom the outstanding satisfaction of dancing in *Symphonic Variations* comes from the relationship between the choreography and César Franck's music. He finds it one of the very few ballets where music and dance equally support each other: "You really have to listen to the music, not just the beat; you are part of the whole piece." He says, too, that the work is "one heavy number" to dance, because "there is nowhere to hide in it, no emotional context with which you can cover the technique".

Having danced more leading roles by Ashton than by any other choreographer (his career spans equally the periods before and since Ashton's death), Sansom is acutely aware of "how simple Ashton's choreography looks, but how deceptively hard it is to do. With Kenneth MacMillan's and David Bintley's ballets you are aware that people looking at you realise how hard it is to do, but not with Ashton's."

So how will audiences grown used to more flamboyant works and to heavier drama take to Ashton's style? The two major works already mentioned should convince anyone with eyes to see and ears to hear, and the much more familiar *Cinderella*



Michael Somes as Daphnis and Violetta Elvin as Lykanion in the 1951 production of *Daphnis and Chloë*

and *The Dream* are also to be shown. But the rest of this mini festival arguably fails to do the choreographer justice and risks leaving the impression that his talent was often a trivial one. *La Valse* and *Façade*, although both entertaining and beautifully crafted, are minor works, presumably chosen to represent respectively his exceptional gift for displaying the corps de ballet (none of his successors has really learnt that trick) and to illustrate his precocious youthful brilliance. But the balance of the programmes consists of little party pieces he made for special occasions, not meant to survive, and tantalisingly short extracts from longer ballets.

Contrast this with the way New York City Ballet last year honoured its founder choreographer, George Balanchine: an eight-week season, eight performances a week, devoted exclusively to his works, no fewer than 73 of them, and culminating in a mammoth gala recorded for television.

We cannot expect the Royal Ballet

to emulate that, having fewer dancers, relying more on elaborate scenery and being accustomed to a different pace of work. But they could have followed the example of the Royal Danish Ballet, which has twice in recent years put on festivals at which the surviving works of their great 19th-century choreographer August Bournonville were given on successive nights. By announcing these festivals well ahead and advertising them abroad, the Danes attracted enthusiastic interest and international publicity.

Given courage, foresight and determination, the Royal Ballet could have prepared a festival really worthy of its greatest choreographer, with a far wider spread of his work. Apart from many obvious ones, there are others not seen for years that some of us remember as having qualities that could overwhelm new audiences. The passionate tragic *Dante's Sonata* for instance, and his sumptuous *Sylvia*, which was witty as well as beautiful.

Both of those are noted, so should present no serious problems.

And is it too late to rescue even such an early work as *Les Masques*, a comedy of manners which Leslie Edwards, one of Ashton's longest associates, remembers as being perhaps the "most elegant ballet ever seen", with its Poulenc music and Fedorovitch designs?

So ambitious an Ashton celebration would have cost money, but sponsors and funding bodies could be expected to support such a project more readily than yet another new production of a hackneyed classic. And it could have brought immense benefits in terms of audience interest (abroad, too — Ashton has a large following in America).

Luckily, this year's homage need not be a once-and-for-all chance. If Covent Garden can plan a long-term Verdi festival it has an obligation to do the same for the man who was one of its own cornerstones. Our best wish for Ashton's memory and the Royal Ballet's well-being must be: "Many happy returns."

● The Ashton Celebration opens at the Royal Opera House (871-84 4000) on Thursday

## LONDON CONCERTS

### Poetic method from madness

Maurizio Pollini  
Festival Hall

BEETHOVEN'S contemporaries thought the works he composed in the last years of his life the ravings of a madman. And of course they were right. When played as a group, the last three piano sonatas, Op 109 in E, Op 110 in A flat, and Op 111 in C minor, present a formidable challenge not only to the performer, but also to the listener.

The greatest challenge of all is Op 111, with its violent swings of mood, but it was one risen to manfully by Maurizio Pollini in his Festival Hall recital. Having pitched heroically into the tempestuous rhetoric of the first movement, he conjured a preternatural calm for the Arietta theme, working up to the barrage of bizarre syncopations for its variations, before effortlessly dissolving all conflict into endless trills and a final state of serenity.

The previous two sonatas may not juxtapose such extremes of mood, though Pollini was prone to point up contrasts: thus the Prestissimo of Op 109 careered off like the Ride of the Wild Hunt, while

the theme and first variation of the finale projected the cantabile line with masterly grace and poise.

Op 110 was set in motion with a similarly singing line that gave way to arpeggios of rare transparency and lightness. Again there were unmediated bursts of aggression (Allegro molto), yet what was remarkable about the final Fuga was the way the subject seemed to emerge out of the preceding Adagio, rather than being announced formally.

The culmination of the finale, however, generated a palpable intensity. Something similar had happened in the final variation of Op 109, when the playing mysteriously entered a new dimension, summoned by the abundance of trills, demisemiquavers and Pollini's imagination. Of such moments is genius made.

BARRY MILLINGTON

### Mahler's life line

Deutsches SO  
Berlin/Ashkenazy  
Festival Hall/Radio 3

THE Deutsches Symphonie-Orchester Berlin (formerly the Radio Symphonie-Orchester Berlin) came to London to show off its new name, and to celebrate the recent extension, for a further five years, of Vladimir Ashkenazy's position as its chief conductor.

Ashkenazy, who took over from Riccardo Chailly in 1989, has guided the orchestra through reunification and reinstatement at the centre of Berlin's cultural life. The flag-waving took place in the first half: the South Bank's Deutsche Romantik-Fest gave the orchestra the perfect excuse to unearth Schumann's little-known overture *Hermann und Dorothea* — though it was the French tricolour which was hoisted aloft in this scissors-and-paste fantasy on the *Marsellaise*.

After a fiery performance by Cristina Ortiz of the composer's no less neglected *Introduction and Allegro appassionato for piano and orchestra*, the serious business began. Those who came for a walk in Mahler's Fifth Symphony will have been sorely disappointed. Ashkenazy conducted one of the most life-affirming

performances of the work that has been heard in London for some time. Exploiting to the full the quick, direct responses of this orchestra's strings, its robust, plain-speaking brass and its characteristic cast of wind players, Ashkenazy emphasised the anger rather than the mourning in the taut, hard-edged rhythms of the opening funeral march.

The Scherzo was, as Mahler wanted it to be, "the very devil of a movement", a real dance macabre of life, reaching its apotheosis in Ashkenazy's ebullient finale, sprightly of articulation, mercurial of attack. The Scherzo's energy could still be felt even in the song of the Adagietto. For once, we were left with the sense of a "life of utter peace and concentration" which Mahler liked to think he enjoyed with Alma and which he claimed to depict here.

HILARY FINCH

### Ravel in full colour

ROHO/Haitink  
Festival Hall

EVEN with encouragement from Bernard Haitink, its music director, the Royal Opera House Orchestra's excursions into the concert hall are rare. Each is accordingly to be welcomed, even when, as here, the players would be giving public performances on 13 consecutive dates. Not that they sounded over-extended; indeed, emerging from the Covent Garden pit for a change brought added brilliance and sonority.

Haitink cunningly chose his programme to feature Ravel's *Daphnis and Chloë* at its full hour-long extent, which he is conducting for the Royal Ballet's Ashton celebration from Thursday. The advantage was much to be enjoyed in the instrumental panoply of the largest orchestra Ravel ever engaged, as well as in the attention to pictorial detail.

How much of this was lost on listeners unfamiliar with the balletic narrative can only be conjectured in the absence of the printed programme of any synopsis. How else should we be aware, for instance, of the contrast in musical character between *Daphnis* and *Dorion*, his clumsy rival for *Chloë*'s favours, and much else?

This was graphically conveyed under Haitink's baton, strongly coloured by the wordless undulations of the Royal Opera House Chorus with a combination of crisp articulation and sensuous phrasing. The pirate dances brought a barbaric edge to the music and the final celebration accumulated a jubilant but controlled organic frenzy.

It was a far cry from the polished elegance of Mozart, with Murray Perahia deceptively limpid at the start of the E-flat Piano Concerto (K452) before building his semiquaver runs into a torrent of spirited fervour. Slow movement and finale were measured and thoughtful in their separate ways, the minuet episode in the latter imparting a darker shadow from solist and orchestra alike, while the *Tragic Overture* of Brahms at the start was distinguished as much by Haitink's keen sense of structure as by his theatrical impulse in vivid orchestral playing.

NOEL GOODWIN

Rhett and Scarlett are about to meet again in a television sequel. Joe Joseph finds out why someone gave a damn

## Gone with the mini-series

Can you believe just how easy it is to make money in the movie business? Forget all those whining British film-makers, don't waste time with the Movie Mogul postgrad diploma at UCLA. Instead, study *Scarlett*, the \$40 million television sequel to producer David Selznick's classic film, *Gone With The Wind*.

*Scarlett* is an eight-hour mini-series based on a novel that *Gone With The Wind*'s author, Margaret Mitchell, never got around to writing. It will be broadcast simultaneously across the globe, like a World Cup Final, on Sunday, except in Britain, where we must wait a month longer to find out whether Scarlett O'Hara ever gets her Rhett Butler back.

What you do first, roughly speaking, is spend \$9 million buying the film rights to the story. This is almost three times as much as any producer has ever paid for a "literary property" (Hollywood-speak for a book).

Then you "pre-sell" the mini-series of the book to television stations around the world, before you have even written a script or cast Joanne Whalley-Kilmer as Scarlett or Timothy Dalton as Rhett. And that seems to be it.



Timothy Dalton and Joanne Whalley-Kilmer as Rhett Butler and Scarlett O'Hara in the television blockbuster

movie until 1976, already has first refusal on the sequel's rights for his house in Marbella and his ranch in Kenya. "It has turned out way beyond my expectations. The actors are wonderful. Joanne and Timothy... wonderful. I think that 15 minutes into the first night everyone will forget about Vivien Leigh and Clark

Gable. This Rhett Butler and Scarlett O'Hara are different people. They are bleaker, but more realistic."

But why was Mitchell so insistent about not having a sequel to *Gone With The Wind*? "What did Margaret Mitchell know about television?" Halmi says. "Authors are very protective about their books, but the hunger for the sequel was proved by the millions of people who bought it. Mitchell's book ends, 'Tomorrow is another day'. You have a broken woman, determined to get her man back. Mitchell left an unfinished story, without a happy ending. What kind of nonsense is that?"

Others have not been as kindly to the project. The first victim was the 700-page book itself, written by Charleston-born Alexandra Ripley, a specialist in historical novels about the Deep South.

"Frankly, it's damnable," sneered the *Washington Post*. In Britain, the *Times* reviewer was sniftier: *The Guardian* reckoned *Scarlett* is the brainchild of people who know nothing about literature. But stinking reviews did not stop *Scarlett* selling 20 million copies, most of them to women. Anyway, shrugs Halmi: "I didn't buy the book. I bought the title."

But Halmi did buy up Whalley-Kilmer (Christine Keeler in the film *Scandal*, and the sensuous nurse in Dennis Potter's *The Singing Detective*) and Dalton (the

most recent incarnation of 007). Rather unfairly, both have been thought impertinent for even considering stepping into the shoes of Leigh and Gable.

But slick acts can be followed by others just as slick, as Sam Mendes proved in London with his Donmar Warehouse production of *Cabaret*: Jane Horrocks and Alan Cummings walked into roles made unforgettable by Liza Minnelli and Joel Grey and left audiences cheering wildly.

That does not mean, of course, that Whalley-Kilmer and Dalton will pull off the same feat, but that the odds may not be as daunting as they seem right now.

It was a story without a happy ending — what nonsense?

But Scarlett herself is a pretty unpleasant piece of work, so why do audiences, particularly women, find her so enduringly captivating? "There is something in all of us," Dalton says. "That knows survival is the bottom line. We know that if there was a lifeboat, Scarlett O'Hara would be the first person in it and her footprints would be all over our faces. We have a grudging respect for someone like that. But she does get her comeuppance."

Halmi calculates that at least 65 million people, in 19 countries, listening in 17 languages, will watch the first episode. Other television stations, including BSkyB in Britain, will then slip it into their schedules.

But, of course, has been here before, when he had the check to be chosen as James Bond in succession to Roger Moore and Sean Connery. "I should think," moans Dalton, "there are a lot of pencils being sharpened into spears. In Britain, even before the movie started filming, they were attacking us. In America there's real enthusiasm for this. When we were filming in Charleston, people were clapping. Here, you see paparazzi photographs of Joanne arriving at work in a tracksuit at 5.30am and they publish it alongside a picture of Vivien Leigh in full make-up and back lighting and say, 'Of course she isn't up to it'."

"We recognised the problem of walking into icons' shoes. But I read the script and I couldn't stop turning the

pages. I would have thought myself a coward if I didn't take on this challenge."

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## LAW

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## Court on camera

Nick Catliff,  
producer of a TV  
documentary on a  
Scottish murder  
case, says that  
cameras need not  
disrupt a court

"Justice is not a private matter. The public have a right to know and to understand what goes on in court. Access to proceedings by means of a television camera will assist this process."

These words were not spoken by a media-friendly American district attorney nor a gung-ho member of the Bar Council. They came from a recent speech by Lord Hope, who as Lord President is Scotland's most senior judge and the only British judge with direct experience of allowing television in courts.

For the past two years, the Lord President and BBC Documentaries have been carrying out a quiet experiment of allowing cameras into court. While much media attention has focused on the undeniable excesses of court TV in America, BBC cameras have filmed over 20 cases in Scottish criminal courts with barely a hitch. The fruits of their labour will be seen in a BBC2 documentary series called *The Trial* starting on November 18 at 9pm.

This series will be watched very closely by lawyers south of the border for clues about the viability, and desirability, of allowing cameras into the courts in England and Wales. Filming has been illegal in English courts since the 1925 Criminal Justice Act placed a blanket ban on all photography. The legal profession and judges have grown up with this ban, and many view the prospect of court TV with deep distaste. Others, most notably the *Masters of the High Court*, Lord Chief Justice and the Bar Council have expressed support for some limited television access.

Perhaps they realise that existing television coverage of court cases tends to involve absurd courtroom sketches interspersed with some poor news reporter being jostled on the pavement outside a courthouse. None of this helps the public to understand what really goes on in our courts and nor do the many, largely American, courtroom dramas that appear on television.

These concerns were shared in Scotland by the Lord President but, unlike his English counterparts, he had the opportunity and the will to take decisive action. Appointed in 1989 at only 51 he hoped to remain Lord President until the next century, during which time the dominance of television could only increase. He



felt that this could lead to his courts looking increasingly anachronistic if they continued to maintain a 70-year-old ban on cameras.

Instead he took the initiative and invited cameras into his courts. He was able to do so because the 1925 Act does not apply in Scotland and so, until now, the absence of cameras had been a matter of practice, not barred by law.

Lord Hope issued practice directions in August 1992, which opened up the possibility of news access to the appeal court and documentary filming in trials courts. This move aroused much private hostility at every level of the legal profession in Scotland. Scottish lawyers are not as media-hungry as their cousins in England, and many dreaded an invasion of their courts by hordes waving cameras.

In fact, *D-Day* did not arrive for ten months, when a crew from BBC Documentaries filmed a shoplifting trial in Edinburgh Sheriff Court. Within weeks the same team had filmed a murder trial, an attempted murder trial and a large number of lesser cases. By March 1994, the entire series had been shot and no-one had complained.

The apparently smooth arrival of cameras in court is deceptive. It had taken over six months of tortuous discussion before Lord Hope produced the guidelines which laid down the rules governing filming. These were designed to protect the courts and not to make life easy for the television producers. The guidelines were based on simple principles: nothing was to be transmitted until all proceedings had been completed, no one should be filmed without consent and the judge had absolute veto on filming in his court.



Andrew Deacons, top, on trial for murder at Edinburgh High Court and, inset, the defence advocates

These restrictions contrast sharply with the wide reporting rights given to print journalists, but there was never any question of television being given any "right" to be in court. We were only allowed in if we could work under conditions that even Lord Hope described as "onerous".

On a practical level, these conditions gave us enormous problems. Before we could film we had to assemble a chain of consents including those of the accused, witnesses, lawyers and judge. In over 95 per cent of cases, this chain snapped long before the trial began. When we did keep our fragile chain intact, filming in court was relatively painless. Our crews were very experienced at working discreetly, and we found that witnesses and lawyers were far too busy concentrating on the proceedings to be distracted.

This lack of disruption echoes findings in America where some courts have allowed filming since 1980. The problems associated with American court television do not lie

with the camera in the court, but with the ranks of cameras assembled on the courthouse steps or at the district attorney's daily press conference.

The kind of media circus seen in the O.J. Simpson trial would be impossible in Britain, regardless of the presence of cameras inside the court. American lawyers use television to put across their client's side of the story in a way that would be considered prejudicial, and therefore illegal, under our contempt of court laws.

Elsewhere, comparisons with the US tend to be equally misleading. In the US, television producers can use the First Amendment, which guarantees freedom of expression, to gain access to many courts. Here we have no such leverage and no tradition of television access. Scottish and English courts need never be compelled to allow the cameras in, so if they do, they start with a clean sheet and can devise the rules necessary to safeguard the administration of justice.

In the longer term, television producers will argue for wider access and easier rules

but, as the Scottish experience shows, the level can be controlled by the judges.

With luck what has happened in Scotland will reassure the English judiciary; and the quality of the programmes themselves should encourage them to try a similar experiment. The Lord President, who has seen each episode, feels their educational qualities justify his decision to invite the cameras in.

Nobody, however, should expect to see cameras in the near future. Legislation is first needed, and that will only come about after wide debate among lawyers and senior judges.

Of course, the calm, low-key success of Scotland's experiment in court television is only a first step. But lawyers can learn that television and the courts can co-exist with the necessary safeguards, and they will also be able to judge for themselves whether or not television coverage of the courts can increase public interest in, and knowledge of, the administration of justice.

## When blasphemy and free speech collide

Miriam was punished with leprosy after speaking critically about the relationship between her brother Moses and God. A recent judgment of the European Court of Human Rights in Strasbourg shows that freedom of expression remains dangerous when it offends religious feelings.

In 1985, the Otto Preminger Institute in Austria announced its intention to show *Council in Heaven*, a film directed by Werner Schroeter. The film is based on a play whose author was imprisoned in 1895 by a German court for "crimes against religion". In the play, God is old and infirm. Jesus Christ is a simpleton and the Virgin Mary is immoral. They decide to punish mankind. They enlist the support of their friend, the Devil. He sends his daughter to earth to spread syphilis by sexual contact, primarily with church leaders.

Schroeter's film depicts the 1895 trial and includes a performance of the play. Before the film could be shown, the Austrian courts ordered its forfeiture because its contents would offend the religious feelings of a person of average sensitivity. The institute complained that this was a breach of the right to freedom of expression under Article 10 of the European Convention on Human Rights. The European Commission upheld the complaint. But, at the end of September, the European Court of Human Rights, the higher judicial body, overturned that decision and held, by six votes to three, that there had been no breach of Article 10.

The majority judgment concluded that the interference with free speech was "necessary in a democratic society" in order to guarantee the "rights of others" to protection from gratuitous insults to their religious feelings. The judges noted that the Austrian courts "did not consider that the film's merit as a work of art or as a contribution to public debate in Austrian society outweighed those features which made it essentially offensive to the general public". The decision of the Austrian courts was within the margin of appreciation enjoyed by national authorities.

The three dissenting judges, like the majority of the Commission, accepted that religious feelings deserve respect and that contracting states enjoy a broad discretion in deciding what policies are suitable for local conditions. But, they concluded, in an open society, religious feelings cannot sensibly be said to justify a total ban on showing the film to an adult audience which had been warned about its nature, thus "enabling the religiously sensitive to make an informed decision to stay away".

The majority judgment of the court is unconvincing. First, it is no business of the judiciary to assess whether a film makes a "contribution to any form of public debate capable of furthering progress in human affairs". The central purpose of freedom of expression is to allow readers and viewers to make up their own mind about the value of a work. Second, the court fails to understand that social development, in art as well as in politics, has often proceeded from the assertion of ideas that cause offence, sometimes outrage, to established thought. Freedom of expression is of limited value if it covers only that which does not upset received opinion.

Third, for judges to assess artistic merit, and to penalise dissent, is especially dangerous in the context of established religion, which commands uncritical devotion from many of its followers, and so enjoys considerable power in religious societies. In such a climate, dissenting voices will struggle to make themselves heard. It is the task of the court to ensure that they are not silenced. No doubt Galileo, Copernicus and Spinoza greatly offended religious feelings in their day, and were considered to be making no useful contribution to human knowledge.

Fourth, the court seems to have been especially concerned with the mocking contents of the film. But ridicule has always been among the most powerful weapons for a critic of the established order. Judges, whether in national courts or in Strasbourg, should resist the temptation to act as arbiters of good taste. As Mr Justice Harlan of the United States Supreme Court observed in 1971, "one man's vulgarity is another's lyric".

This judgment will disappoint those who hope that the European Court might soon consign the English law of blasphemy to the legal dustbin. The European Commission of Human Rights is considering the case of *Wingrove v The United Kingdom*, which concerns a challenge to the decision of the Video Appeals Committee to refuse a certificate to a film, *Visions of Ecstasy*, because it was considered blasphemous.

There is, regrettably, still some way to go before the law in this country and abroad recognises that, in the words of the Emperor Tiberius in the first century AD, "insults to the gods are the affairs of the gods". There may (according to your faith) be a supreme court which can impose or uphold sanctions against those who show blasphemous films, but that court does not sit in Strasbourg.

● The author is a practising barrister and Fellow of All Souls College, Oxford.



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## Crying for Woolf

LAWYERS must back Lord Woolf's review of civil justice or face a government-imposed inquisitorial system in place of the present adversarial one, the law lord Lord Griffiths warned the London Solicitors' Litigation Association last week. Lord Woolf, whose roadshows around the country begin in Newcastle upon Tyne on November 18, is due to report in the spring.

Lord Griffiths said that commercial litigation was "far too expensive, far too lengthy and discovery had run out of control". Failure to back reform would mean "commercial institutions will turn away from the law for remedies and chaos will ensue".

## Slater's search

MARVIN Slater is desperate. So desperate that, unknown to his wife, Sonia Slater, he ran an advertisement in these pages last week to try to find

her a job. Mrs Slater is a financial analyst specialising in tax, who is requalifying as a lawyer, "but she has sent out over 150 applications without even getting an interview."

Mr Slater believes his wife, who is over 40, is a victim of age prejudice in the profession. He also blames the Law Society. "It is blithely licensing courses and making money churning out graduates, when four out of five won't get a job," he says.

## It's a crime

THE first course for criminal court advocates began last week. Only 20 solicitors were on it.

Charles Elly, president of the Law Society, said the numbers were disappointing but would grow.

Far worse, he said, was the refusal of the Lord Chancellor and Lord Chief Justice to release a High Court judge to teach on the courses.

## THE TIMES LAW AWARDS 1994

● ATTENTION all law students: there is still time to enter for The Times Law Awards 1994 essay competition sponsored by the Norton Rose MS Group - and win some £6,000 worth of prizes. Entries must be in by November 29 in no more than 1,000 words on: "How can the civil justice system satisfy its consumers?" For more details telephone 021 2334950.

## End of the line

The City law firm Allen & Overy has made nine secretaries redundant. Martin Paxton, personnel director, says: "We have installed a new computer system which puts a terminal on every fee-earner's desk. The load on individual secretaries has reduced and we had people with not enough to do." He adds: "We waited until the recession was over because we believe it is wrong to dump people on the job market when there are no jobs."

## Whiff of success

JOHN Williams, of the patent agents Williams Powell & Associates, is enjoying success as clients register under the Trade Mark Act 1994 (see Law page 39). He says: "Unicorn Products is among the first to apply. It is seeking to register a dart flight with a tankard illustration impregnated with the smell of strong bitter." What next? The smell of money in a solicitor's wallet?

SCRIVENOR

## STUART &amp; FRANCIS









After attacks on press ethics, Edward Fennell looks at the legal advice newspapers take when exposing scandals

## Keeping the press within the law

**S**teering a course between libel laws and exposing a good story is a constant challenge for investigative journalists. As the past weeks have shown, the grey areas of professional ethics and rights to privacy can drive newspapers closer to the edge of safety than they might wish.

To help them stay within the law most national newspapers have solid in-house legal teams who are consulted regularly on how sensitive stories should be handled.

Significantly, perhaps, *The Guardian*, involved in the "Ritz fax" exposé, is an exception to that general rule. The barristers come in nightly to read the text for the following day's paper there is no permanent in-house legal expert. The editor, Peter Preston, relies instead on the paper's external legal adviser, Lovell White Durrant. John Trotter, of the media litigation team at Lovell's, was staying mum last week on what advice, if any, he might be offering to *The Guardian* in the course of its attack on sleaze.

Given the steady growth in libel it is no surprise that media litigation is packed with distinguished lawyers. Newspapers and their victims can both turn to blue-chip firms like Peter Carter-Ruck, Farrer & Co. Crocokers, D.J. Freeman, Mishcon de Reya, and Wright Webb Syrett, and constantly

**"We know for a fact that MPs lie. In order to boot out corruption it may be necessary to use unorthodox methods"**

expect high-quality advice.

One of the most popular facilities that many of these firms offers is a preview reading service. As well as their famous work for plaintiffs, for example, Carter-Ruck's team acts for many leading publications by scrutinising the texts of every article before it goes to print. Many of the best-known glossy magazines, as well as professional and technical publications, have gone through the mills in the Carter-Ruck offices in Shoe Lane, off Fleet Street, before they reach the presses.

"When there are problems we point them out and often work with the journalists to find alternative ways of getting the point across," says partner Nigel Tait. "There are normally ways of mentioning

smoke without referring to fire."

The media team in Carter-Ruck has doubled over the past five years, and deliberately includes former journalists. Writing and legal skills are both important. At specialist firm Stephens Innocent, for example, they regularly work alongside investigative journalists aiming to produce revelatory blockbusters.

"We spent a whole week recently with one journalist, whose book is published shortly and will make a big impact," says Peter Woods, one of the firm's partners. "Of course, we get no credit and we get no royalties, but a significant part of the book has been shaped by us."

To writers who resent the cramping of their style by the lawyers the publishers now apply a stern discipline. Either they change the text or the book does not get published. The potential damages are too great these days for them to take risks.

For some newspapers, however, the gamble may be worth it. "In some cases it is a commercial position whether to run the risk or not," says Peter Woods. "In other cases, it is a matter of what they believe is in the public interest."

Despite the current outcry among politicians about journalists' tactics, Martin Kraemer of Theodore Goddard believes that, in general, the



Media advisers (clockwise from top left): Peter Carter-Ruck, Lord Mishcon, Mark Stephens, Oscar Beuselinck

editors of broadsheets are "very responsible and careful" in trying to ensure that they do not infringe the law. He has considerable respect for most newspaper in-house legal teams, and only when cases get particularly complicated or there is a need for a large number of lawyers does the work come in his direction.

Oscar Beuselinck, of Davenport Lyons, one of the most distinguished names in this field, fears that the current controversies may be forcing journalists back on the defensive. "If this goes on it will be impossible to write history," Mr Beuselinck says. "There will be no biography — only autobiography. We know for a

fact that Members of Parliament lie and, therefore, in order to boot out corruption, it may be necessary to use unorthodox methods."

In a field in which everything depends on interpretation, the clarification of a journalist's work needs the skills of a lawyer as well as a sub-editor.

NEIL Addison, the senior crown prosecutor suspended last week after writing an article in *The Times* (Law, Nov 1), is to put a package of radical proposals before the Bar annual general meeting on Saturday which would remove the remaining restrictions on how barristers practise, *Frances Gibb writes*.

Mr Addison, an elected member of the Bar Council, is proposing measures which would allow the public to come to barristers direct (not just through a solicitor) and to form partnerships with solicitors and each other.

There is still shock over Mr Addison's suspension following his refusal to withdraw his article at the request of Crown Prosecution Service staff.

In it he discussed the possible effect of privatising the CPS and warned that it could lead to barristers ceasing to prosecute in the Crown Court and the demise of the criminal bar.

A colleague at the Newcastle upon Tyne branch of the CPS, where he works, says: "I can't tell you how outraged people are here. Mr Addison may be seen by some as a bit of a maverick, but he has a right to express his views on matters that affect his profession, the Bar; especially as he was elected to the Bar Council with a hell of a vote from his constituents."

The CPS is now considering disciplinary action against Mr Addison, who wrote the article in a personal capacity. He maintains that he did not breach Civil Service rules. The First Division Association, the union representing CPS lawyers, says the rules governing civil servants speaking in public need clarifying.

## Branded for ever

What will be the impact of the Trade Mark Act?

**WHAT** is a trademark? Under new laws which came into force from October 31, the definition has been radically revised. There is now virtually no limit as to what can be registered if it can be represented graphically — including distinctively shaped containers (the famous Coca-Cola bottle) and sounds (clap, clap... moor).

A famous mark cannot be copied in any field of business if the purpose is to take unfair advantage of that mark, although most of the problems which may arise have less to do with opportunism than common trading practice, and it is here that the Government



Patent Office cartoon

may have missed an opportunity to deal with the introduction of Sainsbury's Classic Cola. Supermarket own-label products which arguably utilise the reputation of established brands, but do not cause consumer confusion, fall outside the new Act, despite a vigorous lobby at the House of Commons's committee stage. The Government felt it was a matter for competition law. Overall, it seems unlikely that in UK terms the impact of the Act will be dramatic. What will be significant is the international impact.

PATRICK ISHERWOOD

The author is a partner with Frere Cholmeley Bischoff.

## A bar at the Bar

THE LORD Chancellor may be challenged over his exclusion of solicitors from the list of candidates invited to put themselves forward to take silk. The invitation asked for "barristers in private practice of at least ten years' standing".

Paul Hampton, chairman of the new 80-member Solicitors' Association of Higher

Court Advocates, has obtained a QC's verbal opinion that this is discriminatory and has now asked for this in writing.

Down in the robing rooms, too, discrimination reigns. Solicitor John Mackenzie found the Old Bailey robing room open only to "counsel" rather than advocates generally. "I was called to see senior Treasury counsel, John Nutting, QC, who apologised in the nicest possible way — but effectively he was telling me to push off," he says.

## LEGAL NEWS ROUND-UP

Meanwhile, the Lord Chancellor has had 250 applications for the posts of district judge after the first judicial advertisements. Another 50 lawyers have applied for the posts of circuit judges.

### Ups and downs

FRESHFIELDS, the City law firm — clients include the Bank of England, Eurotunnel, Warburgs, Rolls-Royce, the

Takeover Panel and British Nuclear Fuels — grew by 20 per cent last year, but many of the new intake were not English-qualified lawyers, according to this month's *In Brief* magazine.

At that rate, more than half the firm's lawyers would be foreign-qualified by the year 2000, it predicts.

The article also says that the top 20 partners each earned more than £400,000 last year.

### On the move

The chambers of Michael Gale, QC, at 6 Pump Court have set up premises also in Maidstone (6 and 8 Mill Street) in the latest move by barristers out of the capital. The set already had a well established reputation in Kent and Mr Gale is chairman of the Kent Bar.

Two weeks ago the first chambers opened in Swindon, a joint venture between the long-established sets of Guildhall, Bristol and 3 Pump

Court, the set of Guy Boney, QC.

### Top earners

THE GOVERNMENT has announced a five-year programme of pay rises for judges to bring them up to the levels recommended by the Senior Salaries Review Body. The rises will bring the pay of High Court judges by 1999 to £100,000 and senior circuit judges to more than £83,000.

FRANCES GIBB

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This assignment is being handled exclusively by Deborah Kirkman on behalf of Robert Walters Associates. For further information, in complete confidence, please contact her on 0171-379 3333 or out of office hours 0181-447 1991 (confidential fax 0171-915 8714), or write to her at 25 Bedford Street, London WC2E 9HP.

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# Charging order covered costs and interest

Ezekiel v Orakpo

Before Mr Justice Carnwath  
[Judgment November 4]

A charging order, even though not expressed to cover either interest on a judgment debt or costs, did extend to both, in respect of interest, could not allow recovery of any interest falling due more than six years before the commencement of proceedings brought to enforce the judgment on which the charge was based.

Mr Justice Carnwath so held in a reserved judgment in the Chancery Division when granting the relief claimed by the defendant, Ifoloma Orakpo, in his notice of motion whereby he sought an order pursuant to Order 50, rule 7 of the Rules of the Supreme Court and section 35 of the Charging Orders Act 1979 discharging or varying the charging order already obtained by the plaintiff, Freddy Jacob Ezekiel, on March 3, 1982 against the defendant's interest in, *inter alia*, 20 Bedford Hill, Baiton, London.

Section 30 of the Limitation Act 1980 provides: "(1) ... no action to recover arrears of interest payable in respect of any sum of money secured by a mortgage or other charge ... shall be brought after the expiration of six years from the date on which the interest became due."

Mr Norman Primrose for the plaintiff, Mr Thomas Jefferies for the defendant.

## Council acted within statutory powers

Credit Suisse and Another v Waltham Forest London Borough Council

Before Mr Justice Gathouse  
[Judgment November 2]

A local authority acted within its statutory powers when giving a guarantee and indemnity for repayments of a loan made for the purpose of establishing a company to acquire properties which were then leased to the authority to provide housing for its homeless.

Mr Justice Gathouse so held in the Queen's Bench Division when giving judgment in favour of the plaintiffs, Credit Suisse and North East London Property Company Ltd, in their claim for money outstanding under a guarantee, and an indemnity, in the case of the second, entered into with the defendant, the London Borough of Waltham Forest, by the council.

MR JUSTICE GATHOUSE said that in 1988 there being insufficient housing in its area, the council entered into a scheme to fulfil its statutory duty to provide housing for the homeless under section 65 of the Housing Act 1985.

The council established a company, Nelpo, of which 50 per cent of the shares were held by the defendant and the balance by National Leasing Finance Co Ltd, a company specialising in public housing finance and leasing schemes.

Nelpo drew upon the loan and purchased 108 properties which were then leased to the council on short leases at market rents for which the council was entitled to housing subsidy.

## Council's infrastructure policy lawful

Regina v South Northamptonshire District Council and Another, Ex parte Crest Homes plc

Where residential development made additional infrastructure necessary, it was lawful for the local planning authority to adopt a policy requiring major developers to contribute to the costs of infrastructure related to their development.

The Court of Appeal (Lord Justice Neill, Lord Justice Simon Brown and Lord Justice Henry) so held on October 13 when dismissing an appeal by the applicants, Crest Homes plc, against the dismissal by Mr Justice Brooke on August 6, 1993 of their application for judicial review of a decision by the local planning authority, South Northamptonshire District Council, to grant outline planning permission subject to certain conditions.

LORD JUSTICE HENRY said that the county structure plan required Twotown to expand massively. Its existing infrastructure could not cope, and public money could not fund all the infrastructure that residential development required so the council accepted the principle recommended by their officers that those landowners who benefited from development should bear the cost of relieving any strain.

His Lordship was satisfied that where residential development made additional infrastructure necessary or desirable, there was nothing wrong in the local planning authority having a policy that required major developers to

The defendant claimed that the plaintiff's order had not specified interest or costs to be recoverable under the charge and that, the debt having been satisfied, the order ought to be discharged and the plaintiff left to his other remedies in respect thereof.

In *Stoker v Elwell* [1942] 1 Ch 242, where a mortgagee obtained a charging order on shares included interest on the original judgment debt, Mr Justice Simonds had held that as it did in the case of land, shares were no different.

The fact that it was the practice in the Chancery Division but not in the Queen's Bench Division to include an express reference to interest could not affect the matter.

Mr Jefferies had argued, however, that a new regime applied under the Charging Orders Act 1979 where the prescribed form of order made it clear that an express reference to interest should be included if interest was to be covered by the order.

But the 1979 Act was to be read against the background of the previous law, section 35 showed that, subject to any contrary indication, a charging order was to operate in the same way as an equitable charge created by the debtor. Clearly such a charge required to have been created for a purpose and there was no reason why a different principle should apply.

Mr Jefferies had argued, however, that the plaintiff's application to enforce the charging order was

"an action to recover arrears of interest" within section 20(5) of the 1980 Act and relied on *Pooler v Borough Council v Moody* [1945] 1 KB 350 where a point arose whether interest recoverable under a charge was, by virtue of the predecessor section 20(5), limited to six years. Lord Justice Morton, with whom the other members of the court agreed, said (at 355) that it was.

His Lordship found the matter difficult. There was no argument as to the point recorded and there had been no reference to the line of authority subsequently exemplified by *Holmes v Cowher*.

His Lordship would not himself have regarded the plaintiff's enforcement proceedings as an action to recover arrears of interest but the Court of Appeal had otherwise decided in *Moody*. Bound by that decision and unable to distinguish it from the instant case, His Lordship would limit the interest claim under the charging order to that which became due within six years of the commencement of the instant proceedings.

Finally, His Lordship expressed the view that, although not essential, a specific reference to interest in a charging order was clearly a desirable way of avoiding misunderstanding. It would also be helpful if the purpose of the bracketed reference in the prescribed form of order were explained.

Solicitors: David Gouldman & Co; Bennett Welch & Co, Norwich.

## Notice was defective

Network Housing Association Ltd v Westminster City Council

Before Lord Justice Simon Brown and Mr Justice Buckley  
[Judgment November 1]

A notice abatement notice was defective where there was a complaint of noise pollution contrary to section 79(1)(g) of the Environmental Protection Act 1990 involving difficult questions of sound levels and nuisance and it required only that a particular result be achieved and did not state what work was to be put in hand.

The Queen's Bench Divisional Court so held in upholding the appeal of Network Housing Association Ltd against the dismissal by Mr Christopher Pratt, Wells Street Stipendiary Magistrate on November 25, 1993 of its application to challenge the validity of an abatement notice served on it under section 80 of the 1990 Act by Westminster City Council on November 26, 1992.

The housing association was the landlord of a property in Westminster where one tenant complained of the noise of his flat by noise from the flat above which arose from the second floor's ordinary residential use. The noise served in satisfaction of the tenant's complaint, after amendment, required the landlord to make alterations so as to reduce the noise to a level of decibels without indicating what work should be carried out.

Mr Benjamin Levy for the housing association; Mr Philip Katz for Westminster.

MR JUSTICE BUCKLEY said that given there were penal sanctions for non-compliance with an abatement notice it was essential that the appellant should be told clearly what works were to be carried out.

It was not necessary for the order to contain a builders' specification or similar. In some obvious cases a notice that required little more than a particular result might suffice.

In the instant circumstances which involved the notoriously difficult question of sound levels and nuisance, the council should have stated in the order what work was required. The order had clearly fallen short of the minimum legal requirement as to the landlords clearly what they had to do. The order was invalid for inadequately specifying the works required.

LORD JUSTICE SIMON BROWN said that if the work failed to produce the required result, the appellant would be bound to comply with the order that the notice contemplated the possible need to undertake a succession of works and that would not do.

Solicitors: Winckworth & Pemberton; Mr Colin Wilson, Westminster.

## Reinsurance is insurance business

In re NRG Victory Reinsurance Ltd

Before Mr Justice Lindsay  
[Judgment July 27]

Reinsurance business was "insurance business" within the meaning of the Insurance Companies Act 1982 and long term business carried on in the United Kingdom by an insurance company to which this Part of the Act applies (the transferee company) was to be transferred to another body

## Summary power to rule on document disclosure

Regina v Bromley Justices, Ex parte Smith and Another, Regina v Wells Street Stipendiary Magistrate, Ex parte King

Before Lord Justice Simon Brown and Mr Justice Buckley  
[Judgment November 4]

Magistrates did have jurisdiction to rule upon disputed issues as to the disclosure of documents in the course of summary proceedings.

The Queen's Bench Divisional Court so held in a declaratory judgment in judicial review proceedings brought by (i) Alan Smith and Lee Williams against the refusal of Bromley Justices to inspect various documents in order to decide whether or not they should be disclosed, and (ii) Nicola King against the decision of Mr Ian Michael Baker, Wells Street Stipendiary Magistrate, refusing to direct the Crown Prosecution Service to disclose previous prosecution expert evidence from similar cases to the defence.

Mr Michael Austin-Smith, QC and Mr Daniel Jenner for the applicants; Mr Jeremy Carter-Manning, QC and Miss Philippa McAteas for the prosecution; the justices and magistrates did not appear and were not represented.

LORD JUSTICE SIMON BROWN said that the critical question was whether the prosecution were under the same duties of disclosure with regard to unused material in summary trials as they were in trials on indictment and, if so, whether magistrates had the same responsibility to rule upon the material in the latter case as the crown court judge in proceedings on indictment.

There was no issue between counsel on that main point: both agreed that there was no distinction to be drawn between the two types of proceedings. His Lordship had no hesitation in reaching the same view.

His Lordship wished to say a word about *R v Crown Prosecution*

Service, Ex parte Warby

(The Times October 20, 1993; [1994] 1 All ER 100)

the case which Mr Baker had understood deprived him of the jurisdiction to order disclosure in summary cases. That, however, was not so. The Divisional Court in *Ex parte Warby* were concerned only with summary proceedings, the purpose of which was merely to decide whether or not there was sufficient evidence to justify committal for trial.

However, His Lordship accepted Mr Carter-Manning's submission that there might well be occasions when, it being known that a contested issue as to the disclosure of sensitive material was likely to arise, that consideration should properly be given to the disclosure of material in order to assist the Crown for trial on indictment rather than summary trial, to respect of an offence triable either way, in such cases, magistrates would be well advised to commit the case for trial.

His Lordship hoped that it would be helpful if he indicated the practice which Mr Carter-Manning on instructions had told their Lordships was already established and followed up and down the country, to ensure that the principles as to the disclosure of unused material did indeed apply to summary trials as they did in the crown court.

Except in non-imprisonable summary only traffic cases, to which it was accepted that the same principles of disclosure applied but for which no formal procedures were thought necessary, the routine practice now was to provide disclosure either by way of the material itself or by way of a schedule inviting access to the disclosable material.

That was the practice adopted in every case for summary trial following a not guilty plea, and in every case committed to the crown court.

The police supplied the CPS with a nationally agreed form, known as the C schedule, listing all unused material, as well as copies

of all witness statements, any unedited statements, any records of interview already prepared in respect of suspects who had not been charged and a written record of the description of the suspects as first given by any potential witnesses.

On receipt of the C schedule and material, the CPS lawyer would review the case and mark the schedule to show in respect of each document whether the prosecution regarded it as disclosable or properly to be withheld. The schedule and disclosable material were then provided to the defence who thereupon became entitled to inspect them.

Those were procedures which His Lordship was prepared to indicate were perfectly satisfactory. So far as the magistrates' role in all that was concerned, generally speaking, only in relation to documents which the prosecution regarded as prima facie relevant to the issue at hand which they wished to withhold would the magistrates need to rule. Rare indeed should be the case where the magistrates would be required to rule on material.

That was for the prosecution to decide in accordance with clearly established principles: *R v Azzam* (The Times March 15, 1994) 9 Cr App R 1.

The defence were, of course, entitled to raise with the prosecution the suggestion that documents not yet disclosed were material and should be disclosed. The prosecution should always be prepared to review the question of materiality.

However, His Lordship expressed the hope that those representing defendants would not too readily challenge the prosecutor's assertion that documents were in his view not material.

Mr Justice Buckley agreed.

Solicitors: Stephen Fidler & Co; Crown Prosecution Service, Special Case Work.

## Longer term sentences for violent offenders

Regina v Thomas (Ian)

Before Lord Taylor of Gosforth, Lord Chief Justice, Mr Justice Sothi Baker and Mr Justice Longmore  
[Judgment October 31]

The absence of previous violent offences by a violent offender did not restrict a judge when imposing in his discretion a "longer term" sentence for protection of the public within section 22(b) of the Criminal Justice Act 1991.

Lord Taylor of Gosforth, Lord Chief Justice, so stated when giving the judgment of the court allowing an appeal by Ian Robert Thomas, aged 29, and reducing to six years a nine year sentence imposed at Leicester Crown Court by Judge Benson on pleas of guilty to wounding with intent Pushpa Patel, who was serving in the family's Caribbean Supermarket in Leicester, by striking her with a stone held in his hand and to attempted robbery by trying to open the cash register there.

Section 2 of the 1991 Act applied where a court passed a custodial sentence, other than one fixed by law, by section 22(a), the sentence was to be for a term, not exceeding the permitted maximum, such as in the court's opinion was commensurate with the offence or combination of the offence and other associated offences.

Section 22(b) provided that the sentence was to be "where the offence is a violent or sexual offence, for such longer term (not exceeding the maximum) as in the opinion of the court is necessary to protect the public from serious harm from the offender."

Mr Leonard W. Smith, assigned by the Registrar of Criminal

Appeals, for the appellant.

THE LORD CHIEF JUSTICE said that in *R v Crowe*; *R v Pennington* (unreported, August 1, CA), a case involving sexual offending, the court said that not every case of violence or sexual offending required section 22(b) to be included. If for example, an offence before the court was an isolated case, and there was no reason to fear a substantial risk of further violence or sexual offending, then clearly section 22(b) would not apply.

However, the circumstances of the offence or offences before the court, the nature and circumstances of previous offences, medical or other evidence about the offender, statements of intent by the offender himself, or a combination of any of those or other sources might raise, in the judgment of the sentencing judge, a substantial risk of the offender committing violent or sexual offences in the future, which might cause serious harm. If that were so, section 22(b) applied.

Mr Smith submitted from an analysis he had provided of decided cases that they suggested that there had always been a history of previous offending before section 22(b) applied. Their Lordships did not accept the proposition that there had to be previous violent offending before a violent offender could be sentenced under section 22(b).

The sentencing judge had stated that he would not rely on the appellant's previous convictions, which included violence in the distant past and according to a further report from a medical practitioner he did not intend to

indicate that the appellant was immediately or persistently a grave danger to public safety; the danger might arise only if he left himself wanting drugs without the money to purchase them.

Ignoring the appellant's record in the distant past, the present was an isolated offence. Their Lordships readily accepted that it was a matter for the trial judge's discretion whether the risk contemplated by section 22(b) was sufficient to justify passing a longer sentence.

Their Lordships, having looked at the circumstances of the case and the evidence before the sentencing judge, concluded that section 22(b) should not have been applied.

Mr Smith raised a point also that the trial judge had not given an express indication in accordance with section 22(b) of the 1991 Act (WLR 202, 209A) that a longer term sentence was being considered.

Their Lordships reiterated that, where a judge had section 22(b) in mind he ought to alert counsel to that possibility, and the judge was required to give his reasons for concluding that section 22(b) applied. It was as well that he should indicate that at an early stage.

However, one could not say that it was a matter of law and that their Lordships' court must not be understood to take the view that if a judge failed to warn counsel that there was a question necessarily and automatically allowing an appeal.

A proper sentence, if section 22(b) had not been applied would have been six years, which would be substituted.

## Call for more jurisdiction

Regina v Old Street Magistrates Court, Ex parte Spencer

It was regrettable that the Divisional Court did not have jurisdiction to enable it to quash only part of an order and leave the remainder intact to such an extent as it felt appropriate.

LORD JUSTICE SIMON BROWN, agreeing with Mr Justice Buckley, said that the proper bracket in the present case was an order for costs in the range of £150 to £200. His Lordship regretted that further expense and inconvenience would have to be incurred by sending the matter back to the justices.

His Lordship looked forward to the time when the dynamic jurisdiction of the Divisional Court would be developed further to allow a more flexible and creative approach, including the exercise of the court's discretion to enable it to quash part of an order and leave it intact to such an extent as the court felt appropriate.

Three jurisdictional matters of general importance had arisen on which His Lordship had had to be satisfied before sanctioning the scheme under section 49, namely:

1 Was reinsurance business "insurance business" within the Act? At the heart of the ordinary meaning of the word "insurance", which was not precluded by a partial definition thereof in section 95 of the Act, was the notion of securing against pecuniary loss in consideration of a payment proportioned to the risk contemplated and, accordingly, the word

included reinsurance. The references in sections 3(2), 9(3), 32(1)(b), 32(3), 32(4)(a) and 63(1), to "reinsurance" either only made sense if "insurance" included reinsurance or, at least, were not inconsistent with "insurance" having that meaning.

The Act therefore pointed irresistibly in the same direction as the ordinary meaning of the word. Looking chiefly to those considerations, His Lordship concluded that reinsurance business was, for the purposes of the Act, included in "insurance business".

2 Was long term reinsurance business "long term business" within the Act? If insurance business included reinsurance business then reinsurance business had to be capable of being examined to see whether it fell into "long term business" within the classes specified in Schedule 1 to the Act or "general business" of the classes specified in Part 1 of Schedule 2 to the Act; see section 10 thereof.

As, however, there was no reference in either schedule to "reinsurance", it had to follow that the terms of the schedules were sufficient to themselves to effect any necessary division. As, moreover, no other machinery for such division had been

provided and as the machinery provided had to suffice, the inevitable conclusion, in His Lordship's view, was that the Act contemplated that reinsurance of insurance which was insurance within the classes of business in Schedule 1 was long term reinsurance and "long term business" within the Act.

3 Was reinsurance of reinsurance not only "insurance business" but "long term business" within the Act? Retrocession, arrangements made for the reinsurance of reinsurance, being within the meaning of "reinsurance", was also within the meaning of "insurance".

The ordinary meaning of the words was sufficient to indicate that retrocession was "insurance" and His Lordship therefore concluded that it was, and as with reinsurance, was divisible into classes by reference to the classes of initial direct insurance to which it related.

Being satisfied on those jurisdictional matters, His Lordship had then sanctioned the scheme before him.

Solicitors: Clifford Chance

## LEGAL & PUBLIC NOTICES

071-782 7344

### PUBLIC NOTICES

**ROPEWALK CHAMBERS**  
NOTTINGHAM  
THE CHAMBERS OF MR. RICHARD  
MAXWELL QC.

The Members of Chambers wish to announce that Mr. William Woodward QC, who will continue in practice at Ropewalk Chambers, has retired as Head of Chambers and that Mr. Richard Maxwell QC has been elected as the new Head of Chambers.

Members of Chambers are:

Mr. Richard Maxwell QC  
Mr. W.C. Woodward QC  
Mr. Anthony Goldsmith QC  
Mr. Ian Macdonald QC  
Mr. Richard Payne  
Mr. G.E. Machin  
Mr. G.M. Jassid  
Mr. Antony Bennett  
Mr. Richard S. Burns  
Mrs. Heather Swindells  
Mr. R.F. Owen  
Mr. Simon Gish  
Mr. Simon Selvad

Senior Clerk: Michael Chant  
Tel No 0115 9472581 Fax No 0115 9476532

### LEGAL NOTICES

**INSOLVENCY ACT 1986**  
**FULL CLP LIMITED**  
NOTICE IS HEREBY GIVEN pursuant to section 58 of the Insolvency Act 1986, that the creditors of the above-named company will be held at 25, Southchurch Road, Southchurch, Southend-on-Sea, Essex, SS11 2JG on 24th November 1994 at 3.00 pm for the purpose of considering the proposed arrangement for the winding up of the company and the appointment of a liquidator. Any creditor of the company may attend and be heard on the matters to be considered at the meeting. The meeting will be held at 25, Southchurch Road, Southend-on-Sea, Essex, SS11 2JG on 24th November 1994 at 3.00 pm. The meeting will be held at 25, Southchurch Road, Southend-on-Sea, Essex, SS11 2JG on 24th November 1994 at 3.00 pm. The meeting will be held at 25, Southchurch Road, Southend-on-Sea, Essex, SS11 2JG on 24th November 1994 at 3.00 pm.

### LEGAL NOTICES

**MAGNUM KITCHENS LIMITED**  
THE INSOLVENCY ACT 1986  
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**THE INSOLVENCY ACT 1986**  
**KEENON BCC LIMITED**  
NOTICE IS HEREBY GIVEN in accordance with section 58 of the Insolvency Act 1986, that the creditors of the above-named company will be held at 25, Southchurch Road, Southend-on-Sea, Essex, SS11 2JG on 24th November 1994 at 3.00 pm for the purpose of considering the proposed arrangement for the winding up of the company and the appointment of a liquidator. Any creditor of the company may attend and be heard on the matters to be considered at the meeting. The meeting will be held at 25, Southchurch Road, Southend-on-Sea, Essex, SS11 2JG on 24th November 1994 at 3.00 pm. The meeting will be held at 25, Southchurch Road, Southend-on-Sea, Essex, SS11 2JG on 24th November 1994 at 3.00 pm.

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**THE INSOLVENCY ACT 1986**  
**WILLIAMS LIMITED**  
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# Time to oppose creeping dictatorship



**ROB HUGHES**  
Overseas Football

England lost its voice, its pride and its influence in international football waters long ago. Our visionary administrators retired and were never replaced. The silence in the years after Haysel and Hillsborough was inevitable but, today, when dictators are taking the game beyond credibility, a mute voice seems less like diplomacy, more like cowardice.

From Europe, we are told that Uefa has decided to order countries such as England, France and Spain to reduce their top division to 18 clubs, or else they will forfeit from the 1997-98 season, one hard-won place in the Uefa Cup.

With what authority, and on whose behalf, was this decision taken? Should not England show teeth, leadership and representation, as the French authorities did last weekend? France has reacted by informing the Uefa gods

that it will not be pushed into decimating its league structure and, while the English Football Association has, in its own blueprint, the eventual aim of an 18-team premier ship, we are not there yet and should not simply acquiesce.

Incidentally Spain, the third country faced with this arbitrary Uefa decision, has all five of its teams that qualified for European competition this season still going strong. Why should they, we, or anyone else accept that Uefa knows best that teams can be cut off from European opportunity at the whim of a few men controlling the purse strings?

And why does nobody ask what Uefa is playing at when it attempts to propose limits under the guise of lessening the demands of overworked players while at the same time instructing its member nations that, from next summer, Uefa itself will fill the idle

weeks of the pre-season by organising yet another European tournament.

But over and above Uefa there is Fifa. And over Fifa, seemingly higher than any other individual in any sport in the world, looms João Havelange. The man hails from Brazil and, sometimes, he appears to allow loss of memory to suit him.

For example, when Fifa met in New York last month, it would appear that the good Dr Havelange forgot to tell any of his fellow members of the Fifa executive of his plans to restructure Fifa, and specifically of his plot to manoeuvre his

son-in-law, Ricardo Terra Teixeira, into the Fifa presidency. There are not many who believe, even now, that Havelange could be quite so daring, or so crude, as to impose his own dynasty on the governing body that he has overlorded for 20 of his 90 years.

"Dr Havelange aims at consensus and not polemics in debate, listening and reasoning carefully," it was written in 90 years of Fifa, a souvenir publication dedicated to Havelange last June.

They reasoned without his plot at the New York gathering. There, apparently, he

postponed item two on the agenda, the appointment of key Fifa committees. Then, at the end of the executive meeting, he presented a printed list, announcing to all present that these were the appointments, and then summarily declared the meeting concluded.

The list, never debated by the rest of the executive, had removed from serious influence important figure-heads of the game. These included the general secretaries of Europe, Africa, Asia and Concaaf (the central and North American governing body) — Gerhard Igner, Mustapha Fahnmi, Peter Velappan and Chuck Blazer.

The audacity of Havelange's move surprised everyone. It should have caught none of them napping, for this same autocrat had, last December, unilaterally decided that Pele would take no part in the World Cup draw ceremony in the United States. The opposi-

tion to him then shrivelled into whispers in the corridors. The reason Pele was excluded was that he was suing Teixeira for what Pele claimed was corruption in his position as president of the Brazilian FA.

Teixeira has just been appointed to the Fifa executive and Havelange has appointed him vice-chairman of the Fifa referees' committee and a member of the 1998 World Cup organising committee.

Beyond that, Havelange argued (so, he did talk to his colleagues) that the time has come to take the politics out of the succession of the Fifa president. He does not think re-election should be held in World Cup year and proposes an interim election after his retirement in 1998, an interim appointment that would favour a man of, say 47, a man such as Teixeira.

The Godfather becomes the father-in-law.

## Ryall strides closer to European Tour place

GEORGE Ryall had seven birdies in a six-under-par 66 at Massane yesterday as he took a two-stroke lead after two rounds in the PGA European Tour golf qualifying school in Montpellier. It was an impressive performance from the 35-year-old, Bristol-born player, who has attended the tour school on five occasions, missing out in a seven-way play-off for two spots in 1991.

Tournament organisers abandoned all play at the waterlogged La Grande Motte course — one of two being used for the event — thus scrapping all competitors' scores from the venue. While many of the 168-strong field were disadvantaged by the move, the home country's Antoine Lehoucq remained in contention, posting a three-under-par 69 to move into second place. He was joined by Fredrik Andersson, of Sweden, and Oyvind Røjahn, of Norway, who finished with a course-record 65.

## Britons lift US titles

SQUASH: Peter Nicol, of Scotland, and Suzanne Horner, of England, completed a British double in the singles finals of the US Open in Newport, Rhode Island. Nicol, promoted to No 5 in the world earlier this month, beat the top seed, Chris Walker, 15-13, 15-9, 13-15, 12-15, 15-5 in just under two hours. After letting the third game slip, Nicol had to withstand a fierce counter-attack from the English No 2 from Colchester until he tired in the final game. Horner, who won her first A grade championship a few weeks ago in Windsor at the age of 31, took the US title at a gallop, beating the Australian Vicki Cardwell 9-3, 9-0, 9-2.

## Grobler dies in accident

RUGBY UNION: Gerbrand Grobler, the Transvaal player, died in hospital yesterday morning after a car accident at the weekend. Life-support machines were turned off after it was established that Grobler had suffered severe brain damage in the accident with an ambulance north of Pretoria early on Sunday morning. Paul de Muelenare, the hospital superintendent, said yesterday, Grobler, who was the reserve, non-travelling full back for the South African rugby team touring Wales, Scotland and Ireland, played in Transvaal's Currie Cup-winning side last month.

## IYRU rejects limit

YACHTING: The International Yacht Racing Union (IYRU), the sport's governing body, yesterday rejected a proposal that the IYRU world sailing championship should be restricted to Olympic class boats only. Hag Wagstaff, of New Zealand, told a meeting of the IYRU's class policy and organisation committee in London that the proposal from the Omani Sailing Association would be similar to "putting a strait-jacket on the development of the event". "The Olympic regatta [format] cannot reflect the whole of the sport of sailing as it is too narrow," Cliff Norbury, of Britain, said.

## Death of Jack Forster

BOWLS: Jack Forster, president of the English Bowling Association, has died at the age of 60. He earned universal respect for his battle against cancer during his term of office last summer and presided over the national championships at Worthing in August in his usual jovial manner.

Clwyn Richards and Andy Thompson, of England, beat Tony King and Adam Poynton of the Kowloon club 26-21 in the Hong Kong Classic Pairs yesterday.

## Baker on crest of wave

WINDSURFING: Nik Baker, of Brighton, the world No 2, is set to become the first European to win an event in the prestigious 64-man Aloha Classic in Hawaii. Baker, 23, has guaranteed his place in the top two by winning the opening round of the wave-riding section, beating Robbie Nash, 11 times the world champion, and Bjorn Dunkerbeck, the present world champion. He must now win the final round to become individual wave-riding champion.

## Gibbs impresses Manly

RUGBY LEAGUE: Manly-Warringah, the Australian club, is considering offering a short-term contract to Scott Gibbs to play in Australia next summer, even though Gibbs has only just converted to the sport from rugby union. Manly may also sign Gibbs's St Helens colleague, Alan Hume, the Great Britain back. St Helens, meanwhile, will seek to extend an unbeaten run of eight games in the Stanes Bitter championship at Doncaster tonight.

## Spencer's call makes light of adversity for Scotland

By Kevin McCarrar

CRAIG Brown continues to be Scottish football's reluctant explorer. With injuries to men such as Duncan Shearer and Eoin Jess, of Aberdeen, the national coach was compelled once more yesterday to visit the outer reaches of his resources when naming the squad for the European championship tie with Russia at Hampden Park on November 16.

Three of the five strikers chosen (John Spencer, of Chelsea, Darren Jackson, of Hibernian, and Gerry Creaney, of Portsmouth) are uncapped.

SCOTLAND: S Booth (Aberdeen), K Boyd (Dundee), J Collins (Coleraine), G. Cooney (Portsmouth), A. Gormley (Preston), B. Grant (Newcastle), C. Hendry (Blackburn), O. Jackson (Hull), J. Laidlaw (Aberdeen), C. Leach (Heart of Midlothian), G. McCall (Leeds), S. McCall (Preston), J. McInnes (Bolton Wanderers), G. McInnes (Preston), W. McInnes (Dundee United), A. McInnes (Preston), M. McInnes (Coleraine), P. Neale (Preston), O. Robertson (Preston), J. Spencer (Chelsea).

while the two "old hands" — Scott Booth, of Aberdeen, and John McInnes, of Bolton Wanderers — have a joint total of nine international appearances. For all that, Brown was far from exasperated.

There was even a faint relief that circumstances have brought the opportunity to promote a player such as Spencer. Brown was at Stamford Bridge on Sunday to see the Chelsea forward score in the 2-2 draw with Coventry City and had also appreciated the marathon run which

brought him a crucial goal in the Cup Winners' Cup tie against FK Austria in Vienna last week.

Having played at all levels for his country, from schoolboy football upwards, a full cap would be a natural culmination for Spencer. Before his £450,000 move to Chelsea in 1992, the 24-year-old's career was slightly hampered by the difficulties of securing a first-team place with Rangers. Eight goals this season, though, show just how he can reward a manager's faith.

Confidence, at least, will not be a problem should Brown field the 5ft 6in forward, against Russia. "He's the darling of the fans at Stamford Bridge, but he always acknowledges it shyly," Brown said, his tongue firmly in his cheek. "John will probably give the team a lift."

Spencer used to be a regular in the Scotland Under-21 side, which was once the manager's responsibility.

Indeed, Brown's career has advanced in tandem with players he first met many years ago. Darren Jackson was named by him for an under-21 pool in 1986 while he was still with Meadowbank Thistle, in the second division, just before a move to Newcastle United.

The Scottish Football Association (SFA) secretary of the time, Ernie Walker, expressed surprise on hearing that a player from so humble a club was to feature among the cream of the country's young talent. Jackson has had his setbacks since, but his form for



Spencer has forced his way into the Scotland squad with his impressive form for Chelsea this season

Hibernian brings him closer than ever to vindicating Brown's trust in him all those years ago.

There is a certain breeziness about the manager, following victories over Finland and the Faeroe Islands in the opening championship qualifiers. A win against Russia would put his men in a very strong position in group eight. Several of the opposition were in the side, then trading as the CIS, beaten 3-0 by Scotland at

the 1992 European championship finals.

Russia now have a new coach, Oleg Romantsev, after disputes led to the selection of a weak and unsuccessful squad for the World Cup finals this year. Andrei Kanchelskis, of Manchester United, is one of the exiles since restored to favour, but the harmony of the group is still to be tested. Scotland, according to Brown, will do that and more.

## Quinn fights to be fit

JIMMY Quinn, the Reading striker, was yesterday included in the Northern Ireland squad to meet the Republic of Ireland in Belfast next week, despite being told by doctors to rest until the new year in an effort to ease a back injury.

Quinn, however, believes he may be fit for the all-Irish encounter at Windsor Park on November 16 after undergoing treatment at the Football Association's rehabilitation centre at Lillishall.

NORTHERN IRELAND SQUAD: Ireland, New 16: T. Wright (Nottingham Forest), P. Jones (Aston Villa), G. Fleming (Barnsley), G. Tappin (Barnsley), O. Patterson (Crystal Palace), K. Rowland (West Ham United), S. Morrow (Preston), N. Worthington (Leeds United), K. Gillespie (Manchester United), M. Hughes (Sheff Wed), P. Gray (Sunderland), I. Dowds (Sunderland), J. Magilton (Sunderland), C. Hill (Leicester City), G. O'Donnell (Sunderland), K. Wilson (Walsley), M. O'Neill (Hibernian), J. Quinn (Reading).

## Dumas has the final word

By Norman De Mesquita

CARDIFF Devils' record in the ice hockey Benson and Hedges Cup is near-perfect. They won it two years ago, were runners-up last year and have reached the final this year, after semi-final victories over Sheffield Steelers by 6-3 (away) and 6-5 (home) during the weekend.

Cardiff's achievement is notable as they were without their best defender, Stephen Cooper, who faces a knee operation. In the first leg, on Saturday, however, they were led by a fine performance by Jason Wood in goal.

Claude Dumas scored twice in each game, but it was team performance that saw the

Devils through. They will meet either Nottingham Panthers or Edinburgh Royals, who meet in the second semi-final next weekend.

The Panthers maintained their 100 per cent premier-league record with a 6-3 win over Milton Keynes Kings and will prove even more fearsome with the addition of Mario Belanger, the former Basingstoke and Durham centre, who joins them shortly.

In contrast, the Kings continue to struggle and Bracknell Bees, although gaining their first league win of the season with a 4-3 win over Basingstoke Beavers, were beaten by Whitley War-

riors. Durham Wasps seem to be running into form at last and their new import, Tony Cimellaro, contributed two goals and two assists on his debut, helping them to an easy 11-5 win over Milton Keynes.

Slough Jets moved into third place in the first division, beating Swindon Wildcats and Romford Raiders, but Lee Valley Lions had a terrible weekend, conceding 40 goals.

RESULTS: Benson and Hedges Cup: Semi-final, second leg: Cardiff 6, Sheffield 5 (Cardiff win 12-3 on aggregate). British League: Premier division: Bracknell 3, Whitley Bay 6, Durham 11, Milton Keynes 5, Peterborough 4, Edinburgh 6. First division: Blackburn 5, Darlington 5, Gullford 1, Telford 5, Lee Valley 8, Paisley 17, Macclesfield 7, Charnock 7, Romford 6, Slough 15, Tessaide 9, Swindon 6, Trillick 5, Southall 5.

## Coach content with display by England

SOME followers of the England World Cup hockey team are puzzled over just how good the side is. They detect a touch of inconsistency after England's 4-1 win to Holland despite taking an early lead here in Brussels last weekend (Sydney Friskin writes).

David Whitaker, the coach, said he felt quite at ease over what he had seen overall at the four nations tournament. "I am convinced that we have the ability to lift ourselves to a higher level in the world, although what that level will be depends on whether we can take enough points off Australia and Pakistan to qualify for the semi-finals of

the World Cup." As for the match against Holland he added: "We were eventually overcome by a side which in my opinion is the best in the world."

"But we are playing better hockey now and what is more significant our rivals know it," a view confirmed by the Spanish coach, Sanjo Cortes, who said after losing 2-1: "England are very fast and fit and we are having difficulty trying to beat them." England finished the Brussels tournament in second place behind Holland, with a 4-0 win over Belgium, when Crutchley and Nick Thompson scored two goals each.

## Modahl prepares drugs case

By Our Sports Staff

DIANE Modahl, the British 800 metres runner facing suspension after a positive drugs test, could appear before a British Athletic Federation (BAF) disciplinary hearing in the first week in December.

Modahl, who tested positive for the male hormone testosterone at a meeting in Lisbon in June, is said to be almost ready to present her case.

Modahl has protested her innocence since being sent home from the Commonwealth Games in Victoria, Canada, when the result of the test was announced in August.

Tony Ward, a spokesman for the BAF, said yesterday: "The federation has been wait-

ing for Diane Modahl to complete her case. I understand it is now nearing completion and a hearing can be expected before the end of the year."

Christopher Winner, a spokesman for the International Amateur Athletic Federation (IAAF), said: "Our understanding is that it will be in a matter of weeks."

Modahl, whose samples were said to have contained massive levels of the drug, faces a four-year ban if the hearing rules against her.

The IAAF would then have to rule on the participation of the British women's team in the World Cup at Crystal

Palace, after it qualified with the help of Modahl's victory in the European Cup at Birmingham.

Last month the British shot putter, Paul Edwards, who was sent home with Modahl from the Games, waived his right to a disciplinary hearing and accepted a four-year ban for steroid use.

Two runners died from heart attacks after completing the New York City marathon on Sunday, officials said. A third runner who suffered a heart attack and was hospitalised is in a stable condition. The only previous marathon fatality was a 48-year-old Frenchman in 1984.

## Money and fun aplenty as Davies dominates season



Davies: six tournament victories in the season

They should call her the colossus of Ottershaw after the season she has had. Laura Davies, one of Surrey's best-known sporting blondes, bestrode the world of women's golf in 1994, winning six tournaments, including one major championship, on three continents, raking in the money and, above all, having fun.

In the process, the 31-year-old, who called her first book *Carefree Golf*, fulfilled her ambition to be the leading money-winner on the Ladies' Professional Golf Association (LPGA) tour in the United States, to be so. In the book, published in 1991, Davies thought she would need "a couple more years of experience on the American circuit", adding: "To have any chance of coming out on top, I would need to be in contention all the time and play there week after week instead of dividing my time between Europe and America."

Well, she was not too far out in her

Patricia Davies reflects on the mighty achievements of the golfer from Surrey who has fulfilled a significant ambition

timing and she was certainly in contention most of the time, but she decided, against the advice of her father, not to devote herself to the US tour to the exclusion of all else. If she was going to be No 1, she was going to do it her way. And she did.

She played 22 American events (the last one, the decider, was in Japan), which was six more than last year, when the struggling European tour badly needed her presence, but one fewer than in 1991. This year, there were 15 events in Europe and Davies played in seven, winning two to finish third in the Ford Order of Merit. This was hemmed in by Sweden — Liselotte Neumann was No 1, followed by Helen Alfredsson, with Annika Sorenstam, rookie of the year in the States, fourth. Neumann would have been the

outstanding European on both sides of the Atlantic — but for Davies. The Swede became the first player to win more than £100,000 in Europe — £102,750 — and she did it in only four events, winning three of them, including the Weetabix Women's British Open. The Weetabix also counted on the LPGA money-list and Neumann, who won two other US events, was third in the States, confirming the consistency that saw her finish third in three of the major championships.

Alfredsson will be remembered for her remarkable performance in the US Women's Open at Indianwood. She set an Open record with a 63, eight under par, in the first round and was 13 under after 43 holes, pulverising the opposition. A Hammer course of horror show and 29 holes later, she was one over

and ninth, eight shots behind Patty Sheehan, the champion.

All this European success augured well for the defence of the Solheim Cup at the Greenbrier in a beautifully colourful autumnal corner of West Virginia last month. Alas, the Americans, high-fiving themselves, winning the singles 8-2 after the match had apparently been finely balanced at 5-5. It was an illusion. Europe still place too much reliance on a few world-class players and the more matches there are, the better the United States like it.

It was not all gloom on the team front, however, for Great Britain and Ireland's amateurs retained the Curtis Cup when they tied 9-9 with the United States at the Honors Course in Chattanooga. Janice Moodie, from Glasgow, secured the all-important point and she, her seven team-mates and Liz Boatman, the captain, deservedly shared the *Daily Telegraph* Woman Golfer of the Year award.

## WORD-WATCHING

Answers from page 48

### BRUMMER

(a) A species of blowfly generally known as the locust-fly (genus *Wohlfahrtia*) a variant of the Afrikaans *brummer* locust-fly, from the Dutch *brummen* to hum or buzz, *brumming* a bluebottle. "The brummer fly: An insect somewhat like the common house-fly, but considerably larger. It is useful in the destruction of locusts."

### COMITADJI

(c) In the Balkans, a member of a band of (especially Bulgarian) irregular soldiers or partisans. Common Balkan form adapted from the Turkish *komitos* — *dji*, literally the member of a committee. "A violent rivalry now began between various national bands of comitadjis, the most powerful being the famous Internal Macedonian Revolutionary Organization."

### DINGE

(a) A derogatory term for a Negro, also attributively or as an adjective, especially with reference to a jazz style developed by Negro musicians. From the adjective *djazz*, US slang.

### FANCHON

(b) A kerchief, a headscarf as it were from Liberty's or Hermès. From the French diminutive of the name *Fanchon*. "A fanchon (kerchief) bonnet. Is a bonnet resembling a diagonally folded kerchief. Popular in Victorian period."

## SOLUTION TO WINNING CHESS MOVE

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# Characterful richness worth a second look

When detractors of Dickens' *Martin Chuzzlewit* get together, the word "construction" is never far from their lips. "Poor construction," they moan, "tut-tutting." "American section. Big mistake." Ironically for a book in which the principal profession is architecture, it is seen as a wobbly edifice, seemingly built with whatever narrative bricks came conveniently to hand.

Dickens's decision to bump up disenchanted early sales by dispatching young Martin to America was famously disastrous. On the other hand, *Chuzzlewit* is cherished for other reasons. In 1843-4, Dickens was 31 and writing with huge comic facility. And though his story was rocky, he never forgot his central themes of selfishness, inheritance and disguise. In this novel, moreover, this energetic ironist gave us two of his most outrageous pretenders — in Mrs Gamp (midwife, layer-out

and fantasist) and Pecksniff, the monstrous, oily fawner and moraliser, likened to a direction-post "which is always telling the way to a place, and never goes there".

Now, whether all this confusion gives *Chuzzlewit* the right to stick a swimming cap on Philip Franks and call it art is another matter. But you can understand that a serialisation of *Chuzzlewit* is bound to engage us more by character than plot, which was where the swimming cap came in. Rarely has a fine actor in a classic serial operated under worse tonorial conditions than Franks last night as Tom Pinch (his hair a short pompadour à la Pickwick, running in a crescent at the back of his head). It was to Franks's considerable credit that he looked so jolly about it.

But the serious point for *Chuzzlewit*'s adapter David Lodge is: how far do you go? How far do you depend on broad comic caricatures, and playing for laughs? Should you introduce a better plot? It is surely no accident that this story has been passed over for adaptation before. Still, looking on the bright side, for *Martin Chuzzlewit* is a boon to the never expected. Like its selfish namesake, it has doubtless grown old on others' good fortune. *Black House* has got its classic serial now, Martin! "Lucky dog, I wish it were mine!"

Whether this serial will repeat the success of *Middlemarch* it's a bit early to tell. But it is not uncharitable to say that it has a lot less going for it visually, except for the spirited haircuts. Aside from Philip Franks's aforementioned Max Wall, Tom Wilkinson as Pecksniff sports a solid, imperious wedge of hair on the top of his head (like a pediment), while Maggie Stead, as the London landlady Mrs

Todgers, properly wears an array of little false brown curls across her forehead (shaped like barrels of beer, as Dickens directed). If I seem to be shying from judgment, it's because watching last night's episode twice, I came away with two very different impressions. I had it both ways, if you like. The first time, I laughed rarely during the family conference, when Pecksniff required a

## REVIEW



Lynne Truss

prompt for "sirens" and got "Oysters?", and when Mrs Todgers lamented, "The grays alone is enough to eat twenty years to one's life". Tom Wilkinson seemed too solid and real for the puffed-up humbug Pecksniff, and the whole thing was too tame and naturalistic for a book which is in every way about artifice and outward show. I also disliked the incidental music, which intruded.

The second time, however, Tom Wilkinson was a comic revelation. Hearing the news that rich old Martin Chuzzlewit (Paul Scofield) intended to lavish money upon him, his expression was a perfect picture of a man brimming with ill-disguised rapacity, unable in his excitement to separate false from true, and settling for an idiotic, round-eyed smile in which humility and triumph were yoked blissfully together. Meanwhile Paul Scofield set up both old Martin Chuzzlewit and brother Anthony

(each of whom has two sides, so it's no mean feat); Pete Postlethwaite brought mangy panache to the leonine opportunist Montague Tigg; and Steed, with her barrels, never hit a false note. I still disliked the music, but there you are.

Does this mean everyone should see it twice? No, no, no, but it sounds impractical. Some sections still didn't come right, even on a second viewing. Young Martin's selfishness was conveyed more by Ben Walden's miserly diction than by anything he did; and some of the levels of pretence got a bit muddled. When young Martin arrives for architectural instruction at Pecksniff's house, he finds master and daughters deep in worthy labours, artfully pretending to have been caught by surprise. But from the very first scene was directed by Peter James, it was hard to tell whether the giggling

Mercy Julia Sewall) really did make dollies for the poor. In the novel, Dickens's continual ironic reference to these girls as "charming" and "lovely" leaves you in no doubt they are ghastly minxes.

You usually miss somebody in an adaptation. With the last *Bleak House* it was Chadband and the Jellyfishes, in the long-ago *Our Mutual Friend* it was the Veneerings. Miraculously, so far, David Lodge has preserved all who matter, including each and every Chuzzlewit friend and relation, down to the very last Spottelee. Perhaps the characters are too difficult to suppress, like Pecksniff's feelings for Mrs Todgers — which he explains, in a startlingly inapposite image, will not be smothered like the princes in the Tower. The more I press the bolster on them, the more they whisper (it's an interesting and creepy chat-up line, "the more they look round the corner of it."

## BBC1

- 6.00 Business Breakfast. Includes Paul Burden reporting live from the CBI conference in Birmingham (31:17).
- 7.00 BBC Breakfast News (58:43:15).
- 9.05 Kilroy. Robert Kilroy-Silk chairs a studio discussion on a topical subject (s) (24:30:40).
- 10.00 News (CeeFax) and weather (58:47:2).
- 10.05 Good Morning... with Anne and Nick. Weekday magazine (s) (50:52:37:7).
- 12.00 News (CeeFax), regional news and weather (77:12:40). 12.05 Pebble Mill (s) (58:28:06). 12.55 Regional News and weather (28:57:17).
- 1.00 One O'Clock News (CeeFax) and weather (20:40).
- 1.30 Neighbours (CeeFax) (s) (55:55:15). 1.50 Mary Berry's Ultimate Cake (s) (58:48:73).
- 2.05 FILM: A Yank in Ermine (1955), starring Peter Thompson, Noelle Middleton and Jon Pertwee. Comedy about a United States Airman, who discovers that he has some blue British blood and arrives in England to claim his heritage. Directed by Gordon Perry (52:28:36).
- 3.30 The Little Polar Bear (s) (55:22:32). 3.45 William's Wish Wellingtons (s) (50:18:63). 4.00 Fireman Sam (52:21:55). 3.50 Chuzzlewit (s) (21:40:07). 4.10 The New York Bear Show (s) (30:45:40). 4.20 Spaceways (s) (37:34:44).
- 4.35 NEWS: It'll Never Work. (CeeFax) (s) (50:06:55).
- 5.00 Newsround (54:38:24). 5.10 Byker Grove. Children's drama series. (CeeFax) (s) (58:05:76).
- 5.35 Neighbours (s) (CeeFax) (s) (50:08:6).
- 6.00 Six O'Clock News (CeeFax) and weather (58).
- 6.30 Regional News Magazine (17).
- 7.00 Holiday. Reports from Skiathos, Tuscany, Vancouver and a paddle steamer on the River Severn. (CeeFax) (s) (25:35).
- 7.30 EastEnders. (CeeFax) (s) (33:0).
- 8.00 A Question of Sport with David Coleman. Bill Beaumont and Ian Botham are joined by Mike Atherton, John Aldridge, Duane Ladell and Karen Dixon. (CeeFax) (s) (12:43).
- 8.30 Natural Neighbours. Gill Rhys Jones examines arachnophobia. (CeeFax) (s) (42:5).
- 9.00 Nine O'Clock News (CeeFax), regional news and weather (34:46).

## BBC2

- 7.00 Teddy Trucks (s) (48:02:21). 7.05 Philbert the Frog (s) (48:03:32). 7.10 Teenage Mutant Hero Turtles (s). (CeeFax) (48:03:33). 7.30 Blue Peter (s). (CeeFax) (s) (48:44).
- 8.00 Breakfast News. (CeeFax and signing) (61:28:05). 8.15 Pride of Druss (71:72:22).
- 8.25 Jerusalem... of Heaven and Earth (42:28:22). 8.50 A Week To Remember (b/w) (13:51:53).
- 9.00 Daytime on Two. Educational programmes. Plus, for children, 10.00-10.25 Playdays (s) (55:16:20).
- 2.00 Christopher Crocodile (s) (75:24:48). 2.05 Spot (s) (75:23:13). 2.10 How the West Was Lost. (59:53:32).
- 3.00 News (CeeFax) and weather followed by Battle For the Bulge (55:57:53). 3.50 News (CeeFax), regional news and weather (35:15:58).
- 4.00 Today's the Day (20).
- 4.30 First Sight (s) (57:2). Wales: Week in Week Out; East: Matter of Fact; Midlands: Midlands Report; North: North-east, North-west; Close Up North; South: Southern Eye; South-west: Close Up West; West: Close Up West.
- 5.00 Esther (s) (39:01). 5.30 Catchword (22).
- 6.00 The Fresh Prince of Bel Air (s) (58:20:5).
- 8.25 Heartbreak High. (CeeFax) (s) (44:57:1).
- 7.10 Harry Hill's Fruit Fancies. The comic story of a man trying to control his lust for bananas (s) (48:35:5). 7.20 Animation Now (83:24:3).




Gerald Fox has nightmares of war (7.30pm)

- 7.30 Open Space: Not Forgotten. (CeeFax) (s) (50:1).
- 8.00 Picture This. Five songs that are the key to the unlocking of memories. (CeeFax) (s) (58:55).
- 8.30 Food and Drink. Culinary magazine. (CeeFax) (s) (39:2).
- 9.00 FILM: PK and the Kid (1992) starring Paul Le Mat and Molly Ringwald. A teenager on the run from her brutal stepfather is being helped by a young man on his way to an wrestling championship. Directed by Lou Lombardo. (CeeFax) (27:17).
- 10.30 Newsnight. (CeeFax) (58:24:3).
- 11.15 The Late Show. Includes a profile of Lord Gower and a discussion on royal biographies between Andrew Morton, Anthony Holden and Mark Lawson (s) (45:41). 11.35 Weather (54:48:2).
- 12.00-1.00am FILM: A Lesson in Love (1954, b/w) starring Greta Garbo and Jean Harlow. An unfaithful husband realises his love for his wife when she returns to a former lover, his best friend. Directed by Ingram Bergman. (50:48:2).
- 2.00-4.00am Night School Mathematics - Mathsphere Series 2 (s) (38:38).

The VHS and Video PlusCodes. The VHS and Video PlusCodes are a new way of finding out more about the programmes you are watching. They are a series of numbers which, when entered into a VCR, will tell you the name of the programme, the name of the producer, the name of the director, the name of the cast, the name of the crew, the name of the company, the name of the distributor, the name of the publisher, the name of the importer, the name of the exporter, the name of the manufacturer, the name of the designer, the name of the artist, the name of the writer, the name of the composer, the name of the performer, the name of the producer, the name of the director, the name of the cast, the name of the crew, the name of the company, the name of the distributor, the name of the publisher, the name of the importer, the name of the exporter, the name of the manufacturer, the name of the designer, the name of the artist, the name of the writer, the name of the composer, the name of the performer, the name of the producer, the name of the director, the name of the cast, the name of the crew, the name of the company, the 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# England gain as cloud lifts over Venables



# TEE OFF

**from**

...Royal Birtdale, Royal Lybourn, Royal Liverpool.  
 All a short drive from Lancashire's only Development Area.  
 West Lancs offers substantial aid for large job-creating capital  
 projects, help for small firm's growth investment, financial  
 support for innovative enterprises. Plus other grants, soft  
 Euro-loans and affordable ready to use sites and premises.  
 Improve your company's drive for success.  
 Tee off from...

## Lancashire's *only* Development Area

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STUART KITCHEN, The West Lancs Region, 100-102, Park Road,  
 Skelmersdale, West Lancashire LA5 2JF are the only agents for WEST LANC'S SH112

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NAME  TITLE

COMPANY

ADDRESS

CITY

## WEST LANCASHIRE